

City of Fresno

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



Meeting Minutes - Final

Thursday, December 2, 2021

9:00 AM

Regular Meeting

In Person and/or Electronic

City Council

President - Luis Chavez

Vice President - Nelson Esparza

Councilmembers:

***Esmeralda Z. Soria, Mike Karbassi, Miguel Angel Arias, Tyler Maxwell,
Garry Bredefeld***

City Manager - Thomas Esqueda

City Attorney - Douglas T. Sloan

City Clerk - Todd Stermer,. CMC

The City Council for the City of Fresno convened in regular session on December 2, 2021 at 9:00 A.M.

9:09 A.M. ROLL CALL

Present: 7 - President Luis Chavez
Vice President Nelson Esparza
Councilmember Esmeralda Z. Soria
Council Member Mike Karbassi
Council Member Miguel Angel Arias
Councilmember Tyler Maxwell
Councilmember Garry Bredefeld

Invocation by Pastor DJ Criner with Saint Rest Baptist Church

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Stermer announced Councilmember Soria would participate via Zoom and voting would occur by roll call. The following changes to the agenda were also announced: Consent Calendar item 1-X (ID 21-964), related to the Campus Pointe development, was moved to the December 9, 2021, agenda by Councilmember Maxwell; Consent Calendar item 1-M (ID 21-881), regarding the California Water and Wastewater Arrearage Payment Program, was moved to the Contested Consent Calendar for further discussion by Councilmember Maxwell; Special Closed Session item (ID 21-978), regarding the UMC Campus, was separately noticed and would be heard pursuant to Government Code section 54956.8.

Following announcements, several changes were made from the dais.

Consent Calendar items moved to the Contested Consent Calendar for further discussion:

1-C (ID 21-866) regarding the purchase of 91 Dodge Durango marked patrol vehicles - moved to Contested Consent by Councilmember Arias.

1-E (ID 21-772) authorizing the Director of the Department of Transportation (or designee) to enter into an Agreement with Fresno Unified School

District regarding the Municipal Fleet Division becoming a work-based learning location for non-paid student internship - moved to Contested Consent by Councilmember Bredefeld.

1-G (ID 21-880) regarding a solar and energy storage project at the Fresno-Clovis Regional Wastewater Reclamation Facility - moved to Contested Consent by Councilmember Arias.

1-J (ID 21-876) regarding Amendment No. 7 to the November 17, 2016 Copper River Ranch Water Supply Implementation Agreement - moved to Contested Consent by Councilmember Soria.

1-L (ID 21-882) pertaining to a discontinuation of Residential Water Service for Nonpayment Policy - moved to Contested Consent by Councilmember Maxwell and Councilmember Arias.

1-Q (ID 21-765) authorizing joint application to and participation in the HomeKey Program - moved to Contested Consent by Councilmember Soria.

1-R (ID 21-921) authorizing application to and participation in the Homekey Program - moved to Contested Consent by Councilmember Soria.

1-AA (ID 21-838) regarding the City Council Meeting Schedule for Calendar Year 2022 - moved to Contested Consent by Councilmember Soria.

Consent Calendar item 1-H (ID 21-900), pertaining to the waste gas flare at the Fresno-Clovis Regional Wastewater Reclamation Facility, was moved to the December 9, 2021 City Council Meeting by Councilmember Arias.

Consent Calendar item 1-P (ID 21-947), regarding award of Consultant Services Contract for Fresno Youth Commission Management to California Health Collaborative, was tabled to a future meeting by Councilmember Arias.

Council President Chavez announced he would recuse himself from the Special Closed Session Meeting item, (ID 21-978) regarding the UMC Campus.

Councilmember Soria announced she would recuse herself from the 10:00 A.M. #2 Hearing, (ID 21-837) regarding the Club One Casino, Inc. Card Room Permit Application.

Councilmember Bredefeld announced a "no" vote for Consent Calendar item 1-Y ID (21-811), to confirm that emergency conditions continue to directly impact the ability of legislative bodies to meet safely in person.

Councilmember Bredefeld and Councilmember Karbassi each announced a "no" vote for Consent Calendar item 1-O (ID 21-906), pertaining to Commercial Cannabis Activity.

On motion of Council Member Arias, seconded by Vice President Esparza, the agenda was approved as amended. The motion carried by the following vote:

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

CEREMONIAL PRESENTATIONS

[ID 21-820](#) "Special Presentation from Fresno County Sheriff Margaret Mims to the Fresno Police Department in Appreciation for Support of the 2020 Creek Fire."

PRESENTED

[ID 21-824](#) Proclamation for "Jay Kalpakoff Day"

PRESENTED

[ID 21-859](#) Proclamation for "Valley Caregivers Month"

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Soria discussed the 9th Annual District 1 Toy Drive to benefit un-housed children in the community. District 1 and local partners Irene's, Moto, Gazebo Gardens, Yosemite Falls, India's Oven and Ramen vs Pho were accepting toys.

The District 1 Councilmember also thanked Public Works staff for

infrastructure work performed in her neighborhoods including addressing lifted sidewalks in the southern portion of the district.

Finally, Councilmember Soria reported janitorial staff in the Airports Department were concerned their jobs were at risk of being outsourced. She expressed her opposition to a Request for Proposal to privatize the positions and noted the jobs could be transformational for families.

Councilmember Karbassi noted the janitorial staff in the Airports Department performed well and expressed concern about privatizing the positions. He also expressed his gratitude to the Public Works Department for repairing sidewalks in his district.

The District 2 Councilmember next reported that 400 complete Thanksgiving meals were provided to families in need through the Operation Gobble event held at Pinedale Elementary school. He thanked the citizens of Fresno and the many partners needed to make the event a success.

Councilmember Karbassi then discussed retail theft and flash mob robberies with Police Chief Balderrama. He continued to discuss crime levels in Fresno and advocated for a budget that would fund public safety. He lauded the Police Department's training and transparency.

Finally, Councilmember Karbassi honored Police Officer Phia Vang whom he remembered as a great Hmong Officer for the City of Fresno.

Councilmember Arias thanked the PARCS Department for efforts to get the Maxi L. Parks Community Center re-opened by December 8, 2021. He also thanked the Public Works and Public Utilities Departments for their efforts cleaning China Town. Finally, he thanked the Public Works Department for installing a speed bump that had been committed for installation only thirty days prior.

Councilmember Arias next discussed the \$25 million additional revenue the City was expecting per the Franchise Tax Board. City Manager Esqueda expected discussions on spending the funds to happen after the mid-year budget review in January. The Councilmember then commented on the

difficulties of installing playground equipment at Tupman Park and hoped to have a solution by December 9, 2021.

The District 3 Councilmember expressed concerns over gaps and errors he saw in a recent Environmental Impact Report regarding the Highway 99 and Fresno interchange. He asked for Council debate before the city committed resources to the item.

Councilmember Arias requested an update on reinstallation of the vandalized downtown artwork and thanked the Mayor for installation of additional lights at the water tower.

Finally, Councilmember Arias asked the administration to budget \$70,000 needed to replace missing traffic bollards. The administration subsequently confirmed the bollards had been located in the Berkeley Building.

Councilmember Maxwell reported complete Thanksgiving meals were provide to more than 300 families by the Operation Gobble event at El Dorado Park. He thanked District 4 staff and the numerous community partners that participated. He also recognized the sponsors that made it possible to purchase the meals for this event - Mid Valley Disposal, Fashion Fair Mall, Pardini's, the Fresno Police Activities League and Fresno State Associated Students, Inc.

Councilmember Maxwell announced the 1st Annual District 4 Holiday Toy Drive would be held at Me N Ed's Victory Grill at 4010 North Cedar Avenue. The items collected would be delivered to elementary schools throughout the district.

The District 4 Councilmember thanked the administration and the Public Works Department for trimming trees in the Eldorado Park neighborhood.

Finally, Councilmember Maxwell discussed the ribbon cutting ceremony at Maravirosa, the active adult center at Campus Pointe.

Councilmember Bredefeld acknowledged an electronic sign he did not initially support, was aesthetically pleasing and working for the City.

Councilmember Bredefeld discussed criminal street racing at Shepherd and Willow Avenues during the Thanksgiving holiday with Police Chief Balderrama. The Councilmember encouraged Council to provide resources for the Police Department to face the job ahead.

Finally, Councilmember Bredefeld discussed COVID-19 and the government response which eroded personal freedoms. He discussed treatments aside from the vaccines and said more COVID-19 variants were likely and people would need to learn to live with it, like the flu.

Vice-President Esparza welcome Tyrone Williams as the new CEO for the Fresno Housing Authority and Todd Stermer as the new Fresno City Clerk. He also welcomed Araceli Garcia Munoz as the new Chief of Staff for District 7 and bid farewell to Aida Macedo who had been with his office for three years.

The Vice-President encouraged the public to get the COVID-19 vaccine to protect people and help businesses. He also commented on the success of the Veterans Day Parade and thanked the organizers and city staff. Next, he encouraged people to make their voices heard at the 6:00 P.M. redistricting hearing. Finally, Vice-President Esparza discussed the District 7 clean up with City Manager Esqueda.

Council President Chaves expressed his gratitude to the family of Police Officer Phia Vang and reported the new Southeast Police Station would be named in his honor.

The Council President discussed the unveiling of the first health and wellness center in the country for first responders. He thanked Fire Chief Donis, Police Chief Balderrama, Mayor Dyer and city staffers for their work on the center.

Council President Chavez discussed the number of city staff working on cleanups with City Manager Esqueda.

Finally, the Council President requested Councilmembers wear ugly

Christmas sweaters to the December 9, 2021 Council meeting.

MAYOR/MANAGER REPORTS AND COMMENTS

Mayor Dyer thanked Council for supporting the digital sign Councilmember Bredefeld addressed earlier and commented on the beneficial partnership with Outfront Media.

The Mayor announced a barbecue he held to thank almost 100 people involved in Project Off Ramp. He thanked his staff, H. Spees and the Fresno Police Officers Association.

Mayor Dyer thanked Councilmember Karbassi for continually focusing on public safety needs and explained the next fiscal year would prioritize resources for the Police Department.

Mayor Dyer discussed the incentives needed to attract Police Officer recruits including housing incentives, a take home car policy, and an attractive labor agreement.

City Manager Esqueda reported the first meeting in March would include a workshop regarding rate planning. He also announced Alicia Mirando as the interim Airport Director and he expected to announce the permanent Director the following week.

The City Manager announced the Administration had completed the Request for Expression of Interest for Selland Arena, Saroyan Theatre and Valdez Hall.

Assistant City Manager Barfield confirmed a Request for Proposal (RFP) concerning Airport janitorial positions. He clarified the RFP was to obtain a cost comparison required for the federal operation and said there was an open recruitment for Custodians and Service Aides at the Airport.

UNSCHEDULED COMMUNICATION

Upon call for unscheduled communication and public comment on Consent Calendar, Contested Consent and closed session items, the following members of the public addressed Council: Lisa Flores, Marisa Moraza,

Karla Martinez, Brandi N. Viegas, Janine Nkosi, Robert McCloskey, Ruben Lucero, Eric Schlote, John Leal, Gary Doesekele, Dez Martinez, Fernando P. Elizondo Sr., Daisy Lopez, Rain Chamberlain, Christopher Washington, Ruben E., and Gabriel Lozano.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

On motion of Councilmember Bredefeld, seconded by Council Member Karbassi, the CONSENT CALENDAR was hereby adopted by the following vote:

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

- 1.-A.** [ID 21-031](#) Approval of minutes for the November 3, 2021 Special Closed Session City Council Meeting, the November 4, 2021 Special Closed Session City Council Meeting and the November 4, 2021 Regular City Council Meeting.

adopted

- 1.-B.** [ID 21-865](#) Award a three-year Requirements Contract to RO Bus Sales of Corona, California, for Medium Accessible Paratransit Cutaways Unleaded Buses for the Department of Transportation Fresno Area Express Handy Ride to purchase no more than 69 buses for a total amount of \$7,235,874.98 plus annual CPI adjustments, and authorize the Director of Transportation, or designee, to execute the contract documents (Bid File 9576).

adopted

- 1.-D.** [ID 21-867](#) Authorize the Director of Transportation or designee, to execute an agreement between the City of Fresno and California State University, Fresno (CSUF) allowing CSUF students, staff, and faculty to use their university-issued identification cards to access Fresno Area Express (FAX) fixed-route buses at no cost.

adopted

- 1.-F.** [ID 21-872](#) Actions pertaining to as needed coating inspection services for Department of Public Utilities infrastructure (Citywide):
1. Approve a consultant services agreement with Bay Area Coating Consultants, Inc., for an amount not to exceed \$250,000
 2. Approve a consultant services agreement with Coating Specialists and Inspection Services, Inc., for an amount not to exceed to \$250,000

adopted

1.-H. [ID 21-900](#)

Actions pertaining to the waste gas flare at the Fresno-Clovis Regional Wastewater Reclamation Facility (Bid File No. 3750) (District 3):

1. Award a construction contract to W.M. Lyles Co., in the amount of \$6,395,900 for construction of Waste Gas Flare Improvements
2. Approve the Second Amendment to the consultant services agreement with Carollo Engineers, Inc., to extend the term of the contract from March 31, 2022, to January 31, 2023, for professional engineering services during construction (no additional dollars)

The above item was moved to the December 9, 2021 agenda by Councilmember Arias.

1.-I. [ID 21-877](#)

Reject all bids for the Furnish and Install Contract for the purchase and installation of a replacement control valve on the Friant-Kern Canal Pipeline at the City of Fresno's Northeast Surface Water Treatment Facility (Bid File 3786) (Council District 6).

adopted

1.-K. [ID 21-887](#)

Actions pertaining to a Solar Energy Ground Lease between City of Fresno and Fresno Community Solar Developers, LLC., at the Regional Wastewater Reclamation Facility (Council District 3):

1. Adopt Mitigated Negative Declaration No. P21-02498 dated November 10, 2021, and Addendum to Mitigated Negative Declaration No. P21-02498 dated November 23, 2021, prepared pursuant to CEQA Guidelines Sections 15070 through 15075, and find based on the City's own independent judgment and analysis, that with the mitigation incorporated, there is no substantial evidence that the project will have a significant effect on the environment.
2. Approve the Agreement for Solar Energy Ground Lease between City of Fresno and Fresno Community Solar Developers, LLC., to lease 74.41 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.

adopted

1.-N. [ID 21-885](#)

Award a Requirements Contract for Citywide Copier Lease Program in the amount of \$386,500.00 per year for five years with an option for four one-year extensions to Ray Morgan Company, of Fresno, CA, Bid File No. 9592.

adopted

- 1.-O. [ID 21-906](#) Actions pertaining to Commercial Cannabis Activity:
1. ***RESOLUTION - 27th Amendment to the Annual Appropriation Resolution (AAR) No. 2021-178 appropriating \$27,500 for the OpenGov, Inc., software services and support agreement. (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).
 2. Approve an Amendment with OpenGov, Inc., for a total contract value of \$71,650, for software services, support, and professional services.

Councilmember Karbassi and Councilmember Bredefeld registered "no" votes on the above Consent Calendar item. PASSED 5-0

RESOLUTION 2021-304 ADOPTED**adopted**

- 1.-P. [ID 21-947](#) Award of Consultant Services Contract for Fresno Youth Commission Management to California Health Collaborative for one year plus two one-year extensions for a total amount Not to Exceed \$258,048.00

The above item was removed from the agenda by Councilmember Arias with no specified return date.

- 1.-S. [ID 21-905](#) Authorize the Chief of Police to enter an agreement with County of Fresno for the reimbursement of five Fresno Police Officers, one Police Sergeant, and one Crime Analyst which will be assigned to the Adult Compliance Team (ACT) in an amount not to exceed \$1,596,691 for Fiscal Year 2021-22.

adopted

- 1.-T. [ID 21-888](#) Approve First Amendment to Agreement with Provost & Pritchard Consulting Group adding \$22,700 for a total of \$195,150 with a contingency amount of \$17,245 for the Van Ness and Weldon Pocket Park project (Council District 1).

adopted

- 1.-U. [ID 21-891](#) Actions pertaining to Final Map of Tract No. 6335:
1. RESOLUTION - Approving the Final Map of Tract No. 6335, Phase 2 of Vesting Tentative Tract Map No. 6235, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - northeast corner of Olive Avenue and Armstrong Avenue (Council District 4).

*RESOLUTION 2021-305 ADOPTED***adopted**

- 1.-V. [ID 21-892](#) Actions pertaining to Final Map of Tract No. 6270:
1. RESOLUTION - Approving the Final Map of Tract No. 6270, of Vesting Tentative Tract Map No. 6270, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - West side of South Willow Avenue, between East Fillmore Avenue and East Laurel Avenue (Council District 7).

*RESOLUTION 2021-306 ADOPTED***adopted**

- 1.-W. [ID 21-853](#) Approve the appointment of Amy Fuentes to the Council District 2 Project Review Committee.

adopted

- 1.-X. [ID 21-964](#) Items related to Campus Pointe development:
A. Approve Implementation Agreement modifying 2007 Settlement Agreement with Kashian Enterprises, L.P.; and
B. ***Approve Annual Appropriation Resolution (AAR) amendment for a total of \$517,022.00, for reimbursement of certain development fees paid under protest (Requires 5 Affirmative Votes) (Subject to Veto).

The above item was moved to the December 9, 2021 agenda by Councilmember Maxwell.

- 1.-Y. [ID 21-811](#) ***RESOLUTION - Confirming emergency conditions continue to directly impact the ability of legislative bodies to meet safely in person, and authorizing remote teleconference meetings of City legislative bodies for 30 days, pursuant to Brown Act provisions (Subject to Mayor's Veto).

Councilmember Bredefeld registered a "no" vote on the above Consent Calendar item. PASSED 6-0

*RESOLUTION 2021-307 ADOPTED***adopted**

- 1.-Z. [ID 21-862](#) Approve Employment Agreement of City Clerk, Effective November 15, 2021.

adopted

CONTESTED CONSENT CALENDAR

- 1.-C. [ID 21-866](#) Approve the award of a purchase contract to 72 Hour LLC of Watsonville, California, for the purchase of 91 Dodge Durango marked patrol vehicles in the amount of \$3,635,531.35 for the Police Department. Delay of action on this item will result in an additional six months added to the procurement as a result of COVID-19 pandemic supply constraints (Bid File 3841).

Assistant Transportation Director Barr introduced the above item to Council.

On motion of Councilmember Arias and second by Councilmember Karbassi, Council unanimously approved discussing this item after concluding General Administration 3.-A. (ID 21-324) concerning budgeting of American Rescue Plan Act funds.

Upon call, the following members of the public addressed Council: Rain Chamberlain and Dwayne Galati. Mr. Galati spoke on this item during the 10:00 #2 (ID 21-837) Scheduled Council Hearing due to his technical difficulties.

Following the comments by Rain Chamberlain, President Chavez clarified with City Attorney Sloan that public comment had already been heard for Consent Calendar items including this item.

APPROVED

On motion of Vice President Esparza, seconded by Council Member Arias, 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.-E. [ID 21-772](#) Authorize the Director of the Department of Transportation (or designee) to enter into an Agreement with Fresno Unified School District, to enable the Municipal Fleet Division to become a work-based learning location for non-paid student internships focused on automotive technologies and fleet maintenance through June 1, 2023, with provisions for three one-year extensions, at no cost to the City. This fits within the Mayor's One Fresno Vision for Youth Initiatives and Economic Mobility, as this includes job training, education, and access to a career path.

Councilmember Bredefeld commented expressed his support for this item.

APPROVED

On motion of Councilmember Bredefeld, seconded by Council Member Karbassi, 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.-G. [ID 21-880](#)

Actions pertaining to a solar and energy storage project at the Fresno-Clovis Regional Wastewater Reclamation Facility (Council District 3):

1. Adopt the Addendum to Mitigated Negative Declaration SCH No. 2012061089, dated November 10, 2021, prepared for the Fresno-Clovis Regional Wastewater Reclamation Facility Solar Power Project pursuant to CEQA Guidelines Sections 15162 and 15164.
2. Approve an Amended and Restated cooperative purchase Energy Services Agreement-Energy Storage with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 2,310.3 / 9,241.2 kWh (estimated) energy storage system at the Fresno-Clovis Regional Wastewater Reclamation Facility to obtain energy demand reductions.

Public Utilities Director Carbajal introduced this item to Council. Public Works Manager Kloose also addressed Council.

APPROVED

On motion of Council Member 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.-J. [ID 21-876](#)

Approve Amendment No. 7 to the November 17, 2016 Copper River Ranch Water Supply Implementation Agreement requesting to eliminate the requirement for the construction of PS 371 following a new water supply analysis conducted by the Developer (Council District 6).

Public Utilities Director Carbajal introduced this item to Council.

APPROVED

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

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

Absent: 1 - Arias

**City Council recessed for lunch at 12:11 P.M. and resumed at 1:36 P.M.
Councilmember Soria returned from recess via Zoom at 2:31 P.M.**

1.-L. [ID 21-882](#)

Actions pertaining to a Discontinuation of Residential Water Service for Nonpayment Policy:

1. ***RESOLUTION - Adopting a Discontinuation of Residential Water Service for Nonpayment Policy (Subject to Mayor's Veto)
2. BILL - (For introduction) Amending Article 1 of Chapter 6 of the Fresno Municipal Code, relating to billing and collection procedures for municipal utilities

Public Utilities Director Carbajal introduced the above item to Council. City Manager Esqueda also addressed Council on this item.

RESOLUTION 2021-302 ADOPTED

BILL B-46 APPROVED, INTRODUCED AND LAID OVER

On motion of Council Member 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

Absent: 1 - Soria

1.-M. [ID 21-881](#)

***RESOLUTION - Authorizing the Department of Public Utilities to apply for and participate in the California Water and Wastewater Arrearage Payment Program (Subject to Mayor's Veto).

There was no discussion on this item.

RESOLUTION 2021-303 ADOPTED

On motion of Councilmember Maxwell, seconded by Vice President Esparza, 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

Absent: 1 - Soria

- 1.-Q.** [ID 21-765](#) ***RESOLUTION - Authorizing joint application to and participation in the HomeKey Program to sustain and rapidly expand housing for youth experiencing homelessness or at risk of homelessness, and who are, thereby, inherently impacted by or at increased risk for medical diseases or conditions due to the COVID-19 pandemic. (Subject to Mayor's Veto).

Councilmember Arias motioned to continue this item and item 1-R (ID 21-921) until the next meeting. President Chavez seconded the motion.

CONTINUED TO DECEMBER 9, 2021

On motion of Council Member Arias, seconded by President Chavez, that the above Action Item be continued as noted. The motion carried by the following vote:

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

Absent: 1 - Soria

- 1.-R.** [ID 21-921](#) ***RESOLUTION - Authorizing application to and participation in the Homekey Program to sustain and rapidly expand housing for persons experiencing homelessness or at risk of homelessness, and who are, thereby, inherently impacted by or at increased risk for medical diseases or conditions due to the COVID-19 pandemic. (Subject to Mayor's Veto).

Councilmember Arias motioned to continue this item and item 1-Q (ID 21-765) until the next meeting. President Chavez seconded the motion.

CONTINUED TO DECEMBER 9, 2021

On motion of Council Member Arias, seconded by President Chavez, that the above Action Item be continued as noted. The motion carried by the following vote:

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

Absent: 1 - Soria

1.-AA. [ID 21-838](#) Approval of City Council Meeting Schedule for Calendar Year 2022

Council Vice-President Esparza introduced this item to Council.

Vice-President Esparza motioned to amend the 2022 calendar by eliminating the February 24, 2022, meeting and replacing it with a meeting on February 17, 2022. Councilmember Arias second the motion.

APPROVED AS AMENDED

On motion of Vice President Esparza, seconded by Council Member Arias, that the above Action Item be approved as amended. The motion carried by the following vote:

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

Absent: 1 - Soria

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. #1

[ID 21-810](#)

HEARING regarding a proposed Development Agreement by and between the City of Fresno and Fagundes Bros. Dairy, relating to the development of the Oasis Master Plan Area, which consists of a total of 599 single-family residential homes as a component of Vesting Tentative Tract Map Nos. 5456, 5463, 6183, and 6184 (Council District 3) - Planning and Development Department.

1. ADOPT an addendum to the previously adopted Mitigated Negative Declaration for Environmental Assessment No. T-6183/T-6184 dated June 26, 2020, environmental finding for Environmental Assessment Nos. R-05-43/T-5456 dated October 19, 2005 and R-05-45/T-5463/C-05-140 dated February 9, 2006, pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines.
2. BILL (For Introduction) - Approving the Development Agreement by and between the City of Fresno and Fagundes Bros. Dairy, pertaining to the Oasis Master Plan Area, which consists of Vesting Tentative Tract Map Nos. 5456, 5463, 6183, and 6184, situated on the east and west side of South Valentine Avenue, north of West Madison Avenue.

The above hearing was called to order at 1:57 P.M.

A presentation was made by Robert Holt, Planner III in the Planning and Development Department. Mr. Holt read the following correction into the record:

"Under Section 5.5 Park Fee Credits, Subsection (b) of the Agreement, staff requests the following change: Reference to Tract 5456 within the first sentence of the Section 5.5(b) shall be changed to reference Tract 5463; and, the second sentence of Section 5.5(b) shall be stricken in its entirety."

Upon call, there was no public comment.

BILL 47 APPROVED, INTRODUCED AND LAID OVER

On motion of Council Member Arias, seconded by Council Member Karbassi, that the above Action Item be approved. The motion carried by the following vote:

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

Absent: 1 - Soria

10:00 A.M. #2

ID 21-837

(CONTINUED FROM NOVEMBER 4, 2021, AT 10:00 A.M.)

Actions pertaining to Club One Casino, Inc. Card Room Permit

Application:

1. HEARING to consider the Club One Casino, Inc. Card Room Permit Application.
2. RESOLUTION - Amending Resolution 2021-225 relating to the Card Room Permit held by Club One Casino by increasing the number card room tables from 31 to 51.

Councilmember Soria previously announced a conflict this item and was absent for the duration of the matter.

The above hearing was called to order at 2:00 P.M. and there was no staff presentation. Club One Casino President Kyle Kirkland addressed Council on this item as did City Manager Esqueda.

In the interest of transparency, Councilmember Bredefeld announced he had lunch at Club One on October 3rd, 2021 and toured the facility. He stated that any comments he expressed were limited to those he previously made

on the public record.

Upon call, there was no public comment.

RESOLUTION 2021-308 ADOPTED

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

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

Recused: 1 - Soria

10:00 A.M. #3

ID 21-870

(CONTINUED FROM NOVEMBER 4, 2021, AT 10:00 A.M.)

HEARING to Consider Text Amendment Application No. P21-05185 and related Environmental Finding for Environmental Assessment No. P21-05185, amending Section 15-2706 of the Fresno Municipal Code, relating to the sale of alcoholic beverages for off-site consumption (Citywide) - Planning and Development Department

1. ADOPT Environmental Assessment No. P21-05185, dated October 20, 2021, that Text Amendment Application No. P21-05185 is exempt from the California Environmental Quality Act (CEQA) pursuant to the Common Sense Exemption that it can be seen with certainty that there is no possibility that the proposed Text Amendment may have a significant effect on the environment pursuant to CEQA Guidelines Section 15061(b)(3).
2. BILL (For introduction) - Amending Section 15-2706 to the Fresno Municipal Code, relating to the use regulations for alcohol sales.

The above hearing was called to order at 2:31 P.M. and was introduced to Council by Planning and Development Supervising Planner Siegrist.

Upon call, there was no public comment.

Councilmember Arias motioned to amend the notice requirement from 1,000 feet to 1,500 feet. Councilmember Karbassi seconded the motion.

BILL B-48 APPROVED AS AMENDED, INTRODUCED AND LAID OVER

On motion of Council Member Arias, seconded by Council Member

Karbassi, that the above Ordinance be approved. The motion carried by the following vote:

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

Absent: 1 - Soria

10:05 A.M.

[ID 21-734](#) WORKSHOP - Defining highest-need neighborhoods as it pertains to the Fresno Clean and Safe Neighborhood Parks Transactions and Use Tax, also known as Measure P (Citywide).

The above workshop was presented by consultants Peter Winch and John Gibbs of WRT. PARCS Director Aguirre, Deputy City Attorney Acosta and City Manager Esqueda also spoke to Council on this item.

For the record, President Chavez clarified the recommendations were from the Parks, Recreation, Art, and Culture Commission..

Councilmembers directed staff to provide the breakdown of the dollar amounts from each funding source as applied to these projects.

WORKSHOP HELD

6:00 P.M.

[ID 21-889](#) Actions pertaining to Redistricting:
1. HEARING - regarding redistricting
2. BILL (for introduction) - Adopting new Council District boundaries pursuant to the Council redetermination process set forth in Section 304.1 of the Charter of the City of Fresno, Section 21621-21629 of the California Elections Code, and Article 2, Chapter 2, of the Fresno Municipal Code

The above hearing was called to order at 6:00 P.M. and was introduced by Councilmember Arias. A presentation was made by Dr. Tilton, Senior Consultant with National Demographics Corporation.

Upon call, the following members of the public addressed Council: Raj Pannu (supports Inclusive Families map and map108); Manvir Singh Bhullar (supports Inclusive Families map and map108); Payal Sidhu (supports Inclusive Families map and map108); Pedro Navarro Cruz (supports Inclusive Families map); Ariana Marmolejo (supports Inclusive

Families map); Imelda Cruz (supports Inclusive Families map); Maya Flores (supports Inclusive Families map); Luis F. Huerta-Silva (supports Inclusive Families Map); Gurminder Sangha (no specific map); Gurdeep Shergill (supports Inclusive Families map and map108); Scott Miller (not supportive of maps107 or 111); Jobanpreet Kawr (supports Inclusive Families map and map108); Ganeev Virk (supports map 108); Baldev Birk (supports map 108); Harmen Singh (supports Inclusive Families map); Navdeep Kaur (supports Inclusive Families); Jagjot Singh (supports Inclusive Families map and map108); Hashid Kasama (supports Inclusive Families map); Sameer Singh (supports Inclusive Families map); Kushmeen Dhoother (not supportive of map 111); Manjot Singh (not supportive of map 111); Jaskeet Raika (supports maps that keep communities together); Japreet Birk (supports Inclusive Families map); Narinder Pal Kaur (supports Inclusive Families map); Olivia Seideman (supports keeping specified communities together); Daniel Brannick (no specific map); Tyler Mackey (not supportive of map 111); Lisa Flores (not supportive of maps 108 or 111); Brenda Quispe (supports Inclusive Families map); Zena Chafi (supports Inclusive Families map); Myra Coble (not supportive of map 111); Naindeep Singh (supports Inclusive Families map); Mai Thao (supports Inclusive Families map).

Upon conclusion of public comment, Councilmember Arias motioned to approve and recommend map 111 in the form of the Ordinance listed on the agenda. Councilmember Maxwell seconded the motion.

BILL B-49 APPROVED, INTRODUCED AND LAID OVER

On motion of Council Member Arias, seconded by Councilmember Maxwell, that the above Action Item be introduced and laid over. The motion carried by the following vote:

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

Absent: 1 - Soria

3. GENERAL ADMINISTRATION

- 3.-A.** [ID 21-924](#) Action pertaining to budgeting American Rescue Plan Act of 2021 (ARPA) funds:
1. ***RESOLUTION - 30th Amendment to the Annual Appropriations Resolution (AAR) No. 2021-178 appropriating \$38,155,000 for

citywide operational support that will be funded from first tranche of ARPA funds (Requires 5 Affirmative Votes)(Subject to Mayor's Veto)

City Manager Esqueda introduced the above item to Council. Mayor Dyer also addressed Council on this item.

Discussion of this item included: facade improvements; economic development; taxes; Planning and Development Department allocations; non-Police Department Public Safety investments; impacts of crime upon small businesses; time sensitivity of items; accountability for crime; temporary substitution of funding sources for immediate needs, and; utilizing a survey to determine the priorities of the public.

Councilmember Maxwell asked for additional discussions with the administration.

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

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

4. CITY COUNCIL

5. CLOSED SESSION

During open session, City Attorney Sloan announced each Closed Session item listed on the Regular Meeting and Special Closed Session Meeting agendas and announced the following: all Closed Session items would be heard by Zoom only; there would be no announcements following the Closed Session, and; Council President Chavez had recused himself from the Special Closed Session Meeting.

5.-A. [ID 21-840](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

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

Case Name: *Martin Lopez v. City of Fresno, et al.*; Fresno County Superior Court Case No. 18CECG03618. (Department of Transportation)

DISCUSSED

5.-B. [ID 21-848](#) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government

Code Section 54956.8

Property: APN 303-082-37

Negotiating Parties: City Manager, Omar Yanez

Under Negotiation: Price and terms of sale

DISCUSSED

5.-C. [ID 21-920](#)

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

5.-D. [ID 21-939](#)

CONFERENCE WITH LABOR NEGOTIATORS - Government Code
Section 54957.6

1. International Union of Operating Engineers, Stationary Engineers, Local 39, Unit 1 (Local 39); 2. Fresno City Employees Association, Unit 3 (FCEA); 3. Fresno Police Officers Association, Unit 4 (FPOA Basic); 4. International Association of Firefighters, Local 753, Unit 5 (IAFF Fire Basic); 5. Amalgamated Transit Union, Local 1027, Unit 6 (ATU); 6. International Brotherhood of Electrical Workers, Local 100, Unit 7 (IBEW); 7. Fresno Police Officers Association, Unit 9 (FPOA Management); 8. International Association of Firefighters, Local 753, Unit 10 (IAFF Fire Management); 9. Fresno Airport Public Safety Supervisors, Unit 11 (FAPSO); 10. City of Fresno Professional Employees Association, Unit 13 (CFPEA); 11. City of Fresno Management Employees Association, Unit 14 (CFMEA); 12. Fresno Airport Public Safety Supervisors, Local 3, Unit 15 (FAPSS)

DISCUSSED

ADJOURNMENT

The meeting adjourned from closed session at 8:17 P.M.