

# **City of Fresno**

*2600 Fresno Street  
Fresno, CA 93721  
[www.fresno.gov](http://www.fresno.gov)*



## **Meeting Minutes - Final**

**Thursday, September 1, 2022**

**9:00 AM**

**Regular Meeting**

**Council Chambers (In Person and/or Electronic)**

## **City Council**

***President - Nelson Esparza***

***Vice President - Tyler Maxwell***

***Councilmembers:***

***Esmeralda Z. Soria, Mike Karbassi, Miguel Angel Arias, Luis Chavez,***

***Garry Bredefeld***

***City Manager - Georgeanne A. White***

***Interim City Attorney - Rina Gonzales***

***City Clerk - Todd Stermer, CMC***

The City Council for the City of Fresno convened in regular session on September 1, 2022, at 9:00 A.M.

9:07 A.M. ROLL CALL

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

Invocation by Pastor Edward Thomas from Living Word Church

Pledge of Allegiance to the Flag

## **APPROVE AGENDA**

*THE FOLLOWING ITEMS WERE REMOVED FROM THE AGENDA AND  
TABLED TO ANOTHER DATE:*

*The ceremonial item proclaiming Mike Reid Day (ID 22-1240) – removed  
from the agenda by Councilmember Karbassi with no specific return date.*

*Consent Calendar item 1-B (ID 22-1274) regarding a lease agreement with  
John Tomanio, a Specialized Aviation Services Operation – removed from  
the agenda by staff and Councilmember Arias and tabled with no specific  
return date.*

*Consent Calendar item 1-J (ID 22-1369) regarding the 3<sup>rd</sup> amendment to the  
salary resolution - removed from the agenda by Councilmember Arias and  
tabled to September 15, 2022.*

*Consent Calendar item 1-L (ID 22-1332) regarding solar projects proposed  
at PARCS and the Public Safety sties removed from the agenda by  
Councilmember Arias and tabled with no specific return date.*

*Consent Calendar item 1-W (ID 22-1307) regarding the repealing of section  
9-609 related to the business hours of pawnbrokers and secondhand dealer*

– removed to from the agenda by Councilmember Arias and tabled to September 15, 2022.

Consent Calendar item 1-Z (ID 22- 1391) regarding actions relating to agreement with Local Government Strategic Consulting, LLC – removed from the agenda by Councilmember Chavez and tabled to September 15, 2022.

3-B (ID 22-1373) regarding Office of Community Affairs workshop – removed from the agenda by staff and tabled to September 15, 2022.

**THE FOLLOWING ITEMS WERE PULLED FROM CONSENT CALENDAR AND MOVED TO CONTESTED CONSENT FOR FURTHER DISCUSSION:**

1-F (ID 22-1353) regarding the award of a purchase contract for the purchase of three Villager Trolley buses – moved to Contested Consent by Vice President Maxwell.

1-M (ID 22-1333) regarding the use of the CalEnviroScreening Score Analyzer as the tree equity scoring criteria - moved to the Contested Consent by Vice President Maxwell.

City Clerk Stermer read a correction into record stating that the agenda title for Consent Calendar item 1-I (ID 22-1318), regarding property at S. Willow and E. Byrd Avenues, was incorrectly listed as 10.27 acres but should have been listed as 10.24 acres.

Councilmember Bredefeld registered "no" votes for Consent Calendar items 1-C (ID 22-1349), regarding commercial cannabis activity, and 1-Y (ID 22-1385), regarding the override of Mayoral veto.

**On motion of Councilmember Soria, seconded by Councilmember Chavez, the Agenda was APPROVED AS AMENDED. The motion carried by the following vote:**

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

## **CEREMONIAL PRESENTATIONS**

[ID 22-1240](#) Proclamation for "Mike Reid Day"

**Sponsors:** Councilmember Karbassi

*The above item was removed from the agenda by Councilmember Karbassi with no specific return date.*

**TABLED**

[ID 22-1344](#) Proclamation for "Deputy Chief Mindy Casto Day"

**Sponsors:** Vice President Maxwell and Councilmember Bredefeld

**PRESENTED**

[ID 22-1357](#) Proclamation for "Officer Steve Hunt"

Sponsors: Councilmember Bredefeld and Office of Mayor & City Manager

**PRESENTED**

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Soria discussed: resident concerns with slurry seals in the area of Van Ness, Echo, Olive and McKinley Avenues, and; concerns with community outreach and proper communication with residents regarding the installation of protected bike lanes. She also asked the administration to consider/compare a purchase option and additional locations when the tabled solar projects item (Consent Calendar item 1-L) returned to the agenda.*

*Councilmember Karbassi announced the ceremonial presentation for Mike Reid was removed at the request of Chief Reid in order not to distract from the proclamation for Officer Steve Hunt.*

*Councilmember Arias reported he would prioritize the input and feed back from his constituents and residents of Fresno over the input received from people living in other cities and states on the Planned Parenthood override item (Consent Calendar item 1-Y). He also discussed: the redesign process of Ted C. Wills Community Center and San Pablo Park; the construction of a new park at Broadway and Elizabeth Streets; electric vehicle charging station repairs; notifying residents before installing bike lanes in*

*neighborhoods and taking into consideration certain parking needs, and; the upcoming construction of the Palm Avenue bike lane.*

*Vice President Maxwell reported he would be leaving the Council meeting early to attend a funeral. He left the meeting at 10:36 A.M.*

*Council President Esparza discussed: his attendance at a Police Department swearing in ceremony and the encouraging pace at which new officers were being hired; the successful Beautify Fresno event at Romain Park the previous Saturday; his participation at the recent "MADE Central California" event, and; holding community meetings to introduce himself to new constituents resulting from redistricting.*

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

*Mayor Dyer reported on: his lunch with Antonio Villaraigosa to discuss infrastructure needs in Fresno; his meeting the HUD Regional Administrator on issues of housing and homelessness; his upcoming trip to Vienna for a public housing workshop; the MADE Central California event at the Convention Center, and; the opening football game for California State University, Fresno and the 4,000 ticket his network was able to distribute to youth in the City of Fresno.*

*City Manager White discussed: electric vehicle charging stations and the efforts to better protect them; memos distributed to Councilmembers discussing apparatus replacements and trolley buses; the reason for the lack of public outreach on recent bike lane installations and the plans to rectify the situation, and; the numerous events occurring in the city this week.*

## **UNSCHEDULED COMMUNICATION**

*The following members of the public addressed Council: Fernando Paul Elizando, Gloria Hernandez, Kong Chow, Dez Martinez, Gloria Hernandez, Chris W., Brandi Nuse-Villegas, Laquitta McCoy, Lisa Flores, Jose Ramirez, Robert McCloskey, and Whitney.*

*Councilmember Karbassi left the meeting at 10:18 A.M.*

## **1. CONSENT CALENDAR**

## APPROVAL OF THE CONSENT CALENDAR

**On motion of Councilmember Arias, seconded by Councilmember Soria, the CONSENT CALENDAR was hereby adopted by the following vote:**

**Aye:** 6 - Esparza, Maxwell, Soria, Arias, Chavez and Bredefeld

**Absent:** 1 - Karbassi

- 1.-A.** [ID 22-1358](#) Approve minutes for August 11, 2022, Regular Meeting, August 18, 2022, Regular Meeting, and August 18, 2022, Special Meeting.

**APPROVED ON CONSENT**

- 1.-B.** [ID 22-1274](#) Actions related to the Lease Agreement with John Tomaino, an individual, d.b.a. American Helicopters, which is a Specialized Aviation Service Operation (SASO) that runs a helicopter and airplane flight training business at Fresno Chandler Executive Airport (FCH). (Council District 3)
1. Adopt a finding of Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines
  2. Approve the Lease Agreement (Lease) with John Tomaino, an individual, d.b.a. American Helicopters, to continue operating a helicopter and airplane flight training business at FCH for a term of three (3) years. The amount of potential revenue generated by this Lease is \$57,203.16. (Council District 3)

*The above item was removed from the agenda by staff with no specific return date.*

**TABLED**

- 1.-C.** [ID 22-1349](#) Actions pertaining to Commercial Cannabis Activity:
1. \*\*\*RESOLUTION - Defining the goals of the community benefit fund of the City of Fresno (Subject to Mayor's Veto)

*Councilmember Bredefeld registered a "no" vote on the above item. As such, the item passed 5-1 with Councilmember Karbassi absent.*

**RESOLUTION 2022-192 ADOPTED****APPROVED ON CONSENT**

- 1.-D.** [ID 22-1148](#) Actions pertaining to the Equitable Economic Mobility Initiative (EEMI) Grant Program:

1. Authorize the City Manager to accept the \$70,000 in grant funding for the Equitable Economic Mobility Initiative (EEMI) Grant Program from the National League of Cities (NLC)
2. Authorize the City Manager to execute all related documents for the acceptance, modification, extension, and administration of the EEMI Grant Program
3. Authorize the City Manager to execute a Memorandum of Understanding between the City of Fresno and Bitwise Industries Inc. (Bitwise) regarding the EEMI grant

**APPROVED ON CONSENT**

- 1.-E. [ID 22-1312](#) Award a consultant services agreement to Blair, Church & Flynn Consulting Engineers in the amount of \$70,900 plus a contingency of \$10,000 for the design and preparation of construction documents for the City Hall Sewer Lift Station Upgrades Project (Council District 3)

**APPROVED ON CONSENT**

- 1.-G. [ID 22-1325](#) Actions pertaining to Geographic Information Systems (GIS) software:
1. RESOLUTION - Authorizing a purchase agreement with Environmental Systems Research Institute, Inc. (Esri) for an enterprise licensing agreement without advertised competitive bidding.
  2. Approve a three-year Enterprise Agreement No. 00308741.0 with Environmental Systems Research Institute, Inc. (Esri) in the amount of \$1,161,706.

**RESOLUTION 2022-195 ADOPTED****APPROVED ON CONSENT**

- 1.-H. [ID 22-1289](#) Actions pertaining to using the Valley Inn located at 933 N. Parkway Drive, Fresno 93728, as an interim low-barrier homeless shelter:
1. Adopt a finding of Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act (CEQA) guidelines; and
  2. Approve a Repair Services Agreement with the Fresno Housing Authority not to exceed \$2,651,648 (District 3)

**APPROVED ON CONSENT**

- 1.-I. [ID 22-1318](#) \*\*\* RESOLUTION - Declaring a 10.27-acre property located at the southwest corner of S. Willow Avenue and E. Byrd Avenue in southeast Fresno (APN: 481-110-42T), to be exempt surplus land and directing staff to comply with the open and competitive request for proposals (RFP)

process for the disposition of this property for an affordable housing development as required by FMC Section 4-204 (District 5) (Subject to Mayor's Veto)

*During approval of the agenda, City Clerk Stermer read a correction into the record noting the property in the above item was 10.24 acres in size, not 10.27 acres.*

**RESOLUTION 2022-196 ADOPTED**

**APPROVED ON CONSENT**

- 1.-J. [ID 22-1369](#) \*\*\*RESOLUTION - Adopt the Third Amendment to the FY 2023 Salary Resolution No. 2022-152, amending Section 9, subsection 1.b; and Exhibit 2, Non-Represented Management and Confidential Classes adding the new classification of Project Liaison/Program Administrator and the respective new E13 salary range, retitling the Labor Relations Manager to Chief Labor Negotiator and modifying the salary range from E7 to E6, modifying the Deputy City Manager salary range from E7 to E6, and retitling the Principal Labor Relations Analyst to Principal Labor Relations/Risk Analyst, effective September 5, 2022 (Subject to Mayor's Veto)

*The above item was removed from the agenda by Councilmember Arias and tabled to September 15, 2022.*

**TABLED**

- 1.-K. [ID 22-1331](#) Reject all bids for Ready Mix Concrete material requirements contract (Bid File 9648)

**APPROVED ON CONSENT**

- 1.-L. [ID 22-1332](#) Actions pertaining to solar projects proposed at PARCS and Public Safety sites including Mosqueda Community Center, Roeding Park, Ted C. Wills Community Center, Inspiration Park, Mary Ella Brown Community Center, Fire Department Headquarters, and Police Regional Training Center (Council Districts 1, 3, 5):
1. Adopt findings pursuant to the California Environmental Quality Act (CEQA) Guidelines:
    - a. Adopt a finding of Categorical Exemptions pursuant to Sections 15303/Class 3; 15304-Class 4; and 15311/Class 11 of the CEQA Guidelines;
  2. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a



- 157 kW (DC) (estimated) solar photovoltaic system at Mosqueda Community Center;
3. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 162 kW (DC) (estimated) solar photovoltaic system at Roeding Park;
  4. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 219 kW (DC) (estimated) solar photovoltaic system at Ted C. Wills Community Center;
  5. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 78 kW (DC) (estimated) solar photovoltaic system at Inspiration Park;
  6. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 94 kW (DC) (estimated) solar photovoltaic system at Mary Ella Brown Community Center;
  7. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 110 kW (DC) (estimated) solar photovoltaic system at Fire Department Headquarters;
  8. Approve the award of a cooperative purchase Energy Services Agreement-Solar with FFP BTM Solar, LLC, for the design, financing, construction, installation, operation, and maintenance of a 110 kW (DC) (estimated) solar photovoltaic system at Police Regional Training Center;
  9. Authorize the Public Works Director or designee to execute subsequent documents, instruments, estoppel and acknowledgement certificates, etc. related to securing a financing party;
  10. Authorize the Public Works Director or designee to approve of any changes to the PPA rates up to the maximum amount authorized in the agreements;
  11. Authorize the Public Works Director or designee to execute the Pacific Gas & Electric (PG&E) Interconnection Agreement required for the project(s).

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

**TABLED**

- 1.-N. [ID 22-1334](#) RESOLUTION - Authorizing the Submission of Grant Applications to the California Department of Transportation Highway Safety Improvement Program Cycle 11 Call for Projects Totaling Up to \$2 Million in Requests for Funding; and Authorizing the Execution of Grant Application and Grant Agreement Documents by the Public Works Director or Designee (Council Districts 1, 3, 4 & 7)

**RESOLUTION 2022-197 ADOPTED****APPROVED ON CONSENT**

- 1.-O. [ID 22-1335](#) Actions pertaining to the Midtown Fresno School Area Multimodal Interconnectivity Project - Bid File No. 3834 (Council Districts 1, 3 and 7):
1. Adopt a finding of Categorical Exemption per staffs determination, pursuant to Sections 15301, 15302, 15303, and 15304 of the California Environmental Quality Act (CEQA) guidelines
  2. Award a construction contract in the amount of \$2,214,587 to American Paving Company of Fresno, California

**APPROVED ON CONSENT**

- 1.-P. [ID 22-1336](#) Approve an agreement for Professional Engineering Services with Peters Engineering Group for \$216,260, with a \$10,000 contingency, for design and construction support services for the Highway City Street Improvement Project (Council District 1)

**APPROVED ON CONSENT**

- 1.-Q. [ID 22-1337](#) RESOLUTION - Of Intention to Annex Final Tract Map No. 6310 as Annexation No. 133 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, October 13, 2022, at 10:00 am (Located on north side of West Dakota Avenue, between North Hayes and North Polk Avenues) (Council District 1)

**RESOLUTION 2022-198 ADOPTED****APPROVED ON CONSENT**

- 1.-R. [ID 22-1346](#) Actions pertaining to Final Map of Tract No. 6336

**RESOLUTION** - Approving the Final Map of Tract No. 6336, Phase 2 of Vesting Tentative Tract Map No. 6214, and accepting dedicated public uses offered therein except for dedications offered subject to City

acceptance of developer installed required improvements - located on the east side of North Fowler Avenue, south of East Clinton Avenue (Council District 7)

**RESOLUTION 2022-199 ADOPTED**

**APPROVED ON CONSENT**

- 1.-S. [ID 22-1368](#) \*\*\*BILL B-26 (Intro'd 8/18/2022)(For Adoption) - Amending Section 6-520 of the Fresno Municipal Code, relating to regulations for urban water conservation (Subject to Mayor's Veto)

**ORDINANCE 2022-026 ADOPTED**

**APPROVED ON CONSENT**

- 1.-T. [ID 22-1382](#) Approve the First Amendment to extend the current Consultant Services Agreement (Agreement) between the City of Fresno and JSA Inspections (JSA) for consultant and testing services for hazardous materials (i.e., lead and asbestos) until February 10, 2023.

**APPROVED ON CONSENT**

- 1.-V. [ID 22-1350](#) Approve the appointment of Stefanie Diaz to the City of Fresno Women's Commission

Sponsors: Councilmember Bredefeld

**APPROVED ON CONSENT**

- 1.-W. [ID 22-1307](#) BILL (for introduction) - Repealing Section 9-609 of the Fresno Municipal Code relating to the business hours of pawnbrokers and secondhand dealers.

Sponsors: Councilmember Bredefeld

*The above item was removed from the agenda by Councilmember Arias and tabled to September 15, 2022.*

**TABLED**

- 1.-X. [ID 22-1370](#) Approve an agreement with Fresno Police & Neighborhood Watch, in the amount of \$300,000, for outreach and marketing services

Sponsors: Council President Esparza

**APPROVED ON CONSENT**

- 1.-Y. [ID 22-1385](#) Approve override of Mayoral Veto regarding the following actions

pertaining to acceptance of State of California funds allocated to the City of Fresno as pass-through entity to be distributed to local non-profits pursuant to AB 178:

1. \*\*\* RESOLUTION - Accepting \$7 million in state funds to the City of Fresno, as pass-through entity for Arte Americas; Accepting \$1.5 million in state funds to the City of Fresno, as pass-through entity for Neighborhood Industries; and accepting \$1 million in state funds to the City of Fresno, as pass-through entity for Planned Parenthood Mar Monte (veto override requires 5 votes)
2. \*\*\*RESOLUTION - Adopting the 7th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 to appropriate \$1 million from the State of California to the City of Fresno as pass-through entity, which funds are earmarked for local non-profit Planned Parenthood Mar Monte (veto override requires 5 votes)

Sponsors: Councilmember Arias

*Councilmember Bredefeld registered a "no" vote on the above item. As such, the item passed 5-1 with Councilmember Karbassi absent.*

**RESOLUTION 2022-188 ADOPTED**

**RESOLUTION 2022-191 ADOPTED**

**APPROVED ON CONSENT**

- 1.-Z. [ID 22-1391](#) Local Government Strategic Consulting, LLC., Contract Amendment

Sponsors: Councilmember Chavez

*The above item was removed from the agenda by Councilmember Chavez and tabled to September 15, 2022.*

**TABLED**

**CONTESTED CONSENT CALENDAR**

- 1.-F. [ID 22-1353](#) Approve the award of a purchase contract to Hometown Trolley of Crandon, Wisconsin for the purchase of three Villager Trolley buses in the amount of \$865,664 for the General Services Department

*There was no staff presentation for the above item. General Services Director Barr responded to questions.*

*Discussion on this item included: bringing the proposal to the*

*Transportation Committee; duplication of services; the purpose of fixed route transit versus the purpose of the trolley buses.*

*By consensus of the Council, the above item was tabled to September 15, 2022, to allow time for review by the Transportation Committee.*

**TABLED**

**By consensus of Council the above Action Item was TABLED to September 15, 2022.**

- 1.-M.** [ID 22-1333](#) Approve the use of the CalEnviroScreening Score Analyzer as the tree equity scoring criteria to be used by staff in accordance with the City of Fresno Tree Policy.

*There was no staff presentation for the above item. Public Works Director Mozier responded to questions.*

*Discussion on this item included the effect of the changes being made and when Councilmembers would receive visuals depicting the highest need areas.*

**APPROVED**

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

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

**Absent:** 2 - Maxwell and Bredefeld

- 1.-U.** [ID 22-1384](#) \*\*\*RESOLUTION - Establishing a policy for City cooling and warming centers (Subject to Mayor's Veto)

Sponsors: Councilmember Arias, Councilmember Soria, and Councilmember Chavez

*There was no staff presentation on the above item. City Manager White responded to Council concerns. Councilmember Arias motioned to table the item to September 15, 2022, to allow time to discuss potential changes to the proposed cooling and warming center policy.*

**TABLED**

On motion of Councilmember Arias, seconded by Councilmember Chavez, that the above Action Item be **TABLED** to September 15, 2022.  
The motion carried by the following vote:

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

**Absent:** 2 - Maxwell and Karbassi

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

### **3. GENERAL ADMINISTRATION**

- 3.-A.** [ID 22-1219](#) WORKSHOP - Community Cat Program - Trap, Neuter/Spay, and Return (TNR)

*The above workshop was presented to Council by Kate Hurley, Doctor of Veterinary Medicine and Associate Director of the CCAH Koret Shelter Medicine Program at UC Davis. Deputy City Manger Torres also addressed Council.*

*Discussion on this item included: the type of complaints received concerning stray cats; how Council would be involved in the Community Cat Program, and; the plan to communicate services with the public.*

*Councilmember Arias requested all Councilmembers be provided a memo detailing the communication plan along with copies of applicable fliers.*

**PRESENTED**

- 3.-B.** [ID 22-1373](#) WORKSHOP - Office of Community Affairs: Strategic Plan Overview

*The above item was removed from the agenda by staff and tabled to September 15, 2022.*

**TABLED**

- 3.-C.** [ID 22-1343](#) WORKSHOP - Mixed Use Text Amendment (Development Code and General Plan Text Amendment No. P22-02413)

*The above workshop was presented to Council by Planning Manager Pagoulatos. Director Clark, City Manager White and Assistant City Manager Barfield also addressed Council.*

*Discussion on this item included: whether developments with similar density requirements existed; how the new density requirements would be achieved; potential parking impacts to adjacent neighborhoods; the possibility of changing height requirements; impacts to the return on investment; preventing slow downs during the permitting phase of the development process; why administrative authority was only being sought for certain public transit corridors; how to ensure project designs would match specific plan designs when applicable; resident implementation committees and feedback; the unchanged minimum standards of the Development Code; presenting the proposed changes to various district committees, and; timing and possible impacts to current projects.*

- 3.-D. [ID 22-1380](#) Update by S. Elm Avenue property owners on project status and discussion on options available to the City concerning Senate Bill 330

Sponsors: Councilmember Arias

*The above workshop was presented to Council by attorney John Kinsey as a representative of several property owners in the 92 acres area east of Elm Avenue in southwest Fresno. The following people addressed Council as part of the presentation: Jason Klier with Buzz Oates, Nick Audino on behalf of Span Development; Joseph Kalpakoff with Mid-Valley Recycling, and; Steve Braun from STG.*

*Discussion on this item included: complications related to utilizing a citywide overlay to address the concerns of the presenters; lack of community support for a complete rezone back to industrial use; working with the City Attorney's Office to create a modified re-zone proposal, and; timelines to adopt modified rezone proposal.*

PRESENTED

#### **4. CITY COUNCIL**

#### **5. CLOSED SESSION**

- 5.-A. [ID 22-1365](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Government Code Section 54956.9, subdivision (d)(2)

Case Names: *City of Fresno v. Cheng His Hsia; City of Fresno v. Guan Huixian*

*The above item was discussed in closed session. There were no open session announcements regarding this item.*

*DISCUSSED*

**5.-B. [ID 22-1383](#)**

Discussion pertaining to Tower Theatre:

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code 54956.9(d)(1); Existing Litigation: J & A Mash & Barrel, LLC. v. Superior Court of Fresno County.

2. Government Code section 54956.9(d)(2); Claims by Adventure Church against City of Fresno dated May 4, 2022, June 6, 2022, and June 24, 2022.

3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8; Property: 777 E Olive Ave; Negotiating Parties: City Manager, J&A Mash & Barrel, LLC; Under Negotiation: Terms and Conditions of Sale

*The above item was discussed in closed session. There were no open session announcements regarding this item.*

*DISCUSSED*

**ADJOURNMENT**

*Council adjourned from closed session at 2:42 P.M.*