



City of Fresno

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

Meeting Minutes - Final City Council

President - Tyler Maxwell

Vice President - Annalisa Perea

Councilmembers:

Mike Karbassi, Miguel Angel Arias, Luis Chavez,

Garry Bredefeld, Nelson Esparza

City Manager - Georgeanne A. White

City Attorney - Andrew Janz

City Clerk - Todd Stermer, CMC

Thursday, April 27, 2023

9:00 AM

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

Regular Meeting

The City Council met in regular session in the Council Chamber, City Hall, on the date and time above written. The regular meeting was held concurrently with a separately noticed 1:30 p.m. special meeting.

9:09 A.M. ROLL CALL

Present: 7 - Councilmember Nelson Esparza
Council President Tyler Maxwell
Vice President Annalisa Perea
Councilmember Mike Karbassi
Councilmember Miguel Angel Arias
Councilmember Luis Chavez
Councilmember Garry Bredefeld

Invocation by Pastor Doug Lanier with Christian Life Assembly Church.

Pastor Doug Lanier gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Bredefeld led the Pledge of Allegiance.

APPROVE AGENDA

City Clerk Stermer announced the following changes to the agenda:

A special meeting had been separately noticed for 1:30 p.m. to discuss:

- Item “A” (ID 23-702) regarding amendment of the Better Business Act to provide exceptions for affordable housing, senior affordable housing and mixed-use projects that benefit public health, safety and welfare of the city, and;*
- Item “B” (ID 23-703) regarding support for city contribution of funds to or on behalf of FCTC Senior, LP. for construction of water infrastructure necessary to meet fire suppression requirements.*

Consent Calendar item 1-Y (ID 23-647) regarding support of a city contribution of funds to FCTC Senior, LP - removed from the agenda with no return date as a related item was the subject of the special meeting.

Consent Calendar item 1-BB (ID 23-662) regarding an amendment to the Council Communication Policy – removed from the agenda by Councilmember Karbassi with no return date.

Consent Calendar item 1-CC (ID 23-689) regarding the Homekey 3 Program at 6507 North Polk Avenue - Councilmember Karbassi should be listed as co-sponsor.

Closed Session item 5-A (23-658) regarding anticipated litigation for Bakman Water Company v. City of Fresno – removed from the agenda by the City Attorney’s Office with no return date.

Councilmember Karbassi and Councilmember Bredefeld each registered a "no" vote on Consent Calendar item 1-D (ID 23-663) regarding Commercial Cannabis Activity.

THE FOLLOWING ITEMS WERE MOVED TO THE MAY 11, 2023, AGENDA

Consent Calendar item 1-AA (ID 23-661) regarding a pilot program to incentivize job creation within portions of the Tower District – moved to the May 11, 2023, agenda by Vice President Perea and Councilmember Arias.

General Administration item 3-A (ID 23-465) regarding a workshop for the

Annual Review of the Community Workforce Agreement – moved to the May 11, 2023, agenda by the administration.

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

1-B (ID 23-636) regarding Bid File 12300507 soliciting proposals to manage and operate Food & Beverage Concessions and News & Convenience Concessions at Fresno Yosemite International Airport (FAT). – moved to Contested Consent by Councilmember Arias.

1-I (ID 23-671) regarding the eighth amendment to the Position Authorization Resolution - moved to Contested Consent by Councilmember Bredefeld.

1-L (ID 23-642) regarding the 2021 National Sexual Assault Kit Initiative (SAKI) grant program – moved to Contested Consent by Councilmember Arias and Councilmember Esparza.

1-M (ID 23-631) regarding the COPS Metro Bike Unit Grant – moved to Contested Consent by Council President Maxwell and Councilmember Esparza.

1-O (ID 23-634) regarding a grant application to the California Department of Transportation for the Clean California local grant program cycle 2 - moved to Contested Consent by Council President Maxwell.

1-S (ID 23-596) regarding the 34th amendment to the Annual Appropriations Resolution (AAR) for the Parks and Public Safety Energy Efficiency Projects – moved to Contested Consent by Councilmember Arias.

1-X (ID 23-463) regarding the disposal of vacated roadway properties associated with the State Route 99 Realignment Project – was moved by Councilmember Arias.

On motion of Vice President Perea, seconded by Councilmember Chavez, the above agenda was APPROVED AS AMENDED. The

motion carried by the following vote:

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

CEREMONIAL PRESENTATIONS

[ID 23-293](#) Proclamation for "Officer Lindsay Dozier"

PRESENTED

[ID 23-535](#) Proclamation for "Fair Housing Month"

PRESENTED

[ID 23-628](#) Proclamation for "Peace Officer Memorial Week"

PRESENTED

[ID 23-449](#) Proclamation for "Arbor Day"

PRESENTED

[ID 23-562](#) Proclamation for "National and California Community College Month"

PRESENTED

[ID 23-556](#) Fresno Animal Center's "Pet of the Month" presented by Fresno Humane Animal Services

PRESENTED

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Karbassi Reports and Comments. Discussed the Great American Cleanup at River Bottom Park and the work by Caglia Environmental and River Tree Volunteers to gather volunteers. Discussed the annual flag raising in recognition of the Armenian genocide and the multi generational participation by the local Armenian community.

Councilmember Arias Reports and Comments. Announced work had begun on the outdoor patio, parklet and bike racks next to South of Shaw Beer Company in downtown Fresno. Noted the first annual West Fresno Home Buyers Conference would occur at the Westside Church of God on Saturday to help West Fresno residents become home owners. Reported the next China Town 559 Market would occur on Friday and was a great family

friendly event. Acknowledged the PARCS team for the excellent maintenance of the sports fields at the Regional Sports Complex. Discussed recent successful concerts at Chukchansi Stadium and the need to have police officers walk the vicinity and the need for increased cellular capacity during events. Reported that Cooks Communication, located in downtown Fresno, was interested in discussions with the administration on how to keep City of Fresno business local. Apologized to the residents of the Trails End Mobile Home Park as he feels the new owners blatantly lied when they promised to keep the property as an affordable mobile home park - he will work with Councilmember Bredefeld to see what options the City has to help the residents.

Councilmember Chavez Reports and Comments. Discussed the recent Great American Cleanup events in District 5 and recognized Familias en Accion for the great job in the Liberty and Hazelwood area. Asked the administration for clarification on how services will be impacted in light of recent developments at the Animal Center. Announced there was interest from foster youth organizations to participate in City of Fresno youth jobs programs and he would connect the organizations with the administration to discuss the possibilities.

Councilmember Bredefeld Reports and Comments. Discussed the emotional flag raising in recognition of the Armenian genocide. Recognized the volunteers who participated in the Great American Cleanup at Woodward Park. Reported on the success of the "Boots in the Park" concert recently held at Woodward Park. Informed Council of threats he and his Chief of Staff received from a known individual during a press conference earlier in the day - he announced he would file a police report concerning the threats.

Councilmember Esparza Reports and Comments. Announced the California Commission on the Status of Women and Girls awarded a \$100,000 grant to the City of Fresno to continue the programming of the City of Fresno Women's Commission. Congratulated Centro La Familia for opening a neighborhood resource center at Dakota and Blackstone. Announced he would attend an upcoming Jackson Association neighborhood meeting.

Vice President Perea Reports and Comments. Reported that an estimated 4,500 attended the first Tower District Farmers Market the previous week. Future Farmers Market will see an increase in fresh produce to help deal with the food desert in the area. Invited the public to attend "Porch Fest" - a fun, family friendly, walkable concert throughout the Tower District and historical Fresno High community. Reported on several area clean up events during Earth Day. Recognized Public Works for continually working with District 1 to deal with pot holes.

MAYOR/MANAGER REPORTS AND COMMENTS

Mayor Dyer Reports and Comments. Announced more than 1,700 volunteers help to remove 16,000 pounds of trash from twenty locations throughout the City. Presented certificates to Student Ambassadors in the Fresno / Châteauroux Exchange Program, with Council Vice President Perea.

City Manager White Reports and Comments. Thanked the Fresno Grizzlies for providing the infield mix which was utilized for the turf at the Regional Sports Complex. Reported that ten memos on various subjects had been provided to the Council over the past week by the administration.

UNSCHEDULED COMMUNICATION

Upon call, the following members of the public addressed Council: Yvonne Gordon (1-N, 10:05 am); Brunette Harris (1-N), 10:05 am; Betty Francis (1-N); Emily Brandt (1-N, 10:05 am); Shawn Robinson (1-D); Steve Diddy (1-T); Rex Hime (3-A); Fernando Elizondo; Patricia Shawn; Lyindy Owens; Adolfo Castillo (1-D); Hester Hensley; Brandi Nuse-Villegas (1-E, 1-N); Lisa Flores; G Ray Howell; Candis Crowley; Edward Castro Jr.; Karla Martinez; Edith Rico; Leslie Martinez; Maria Gonzalez; Andrea Balanos; Ruben Espinoza; Soccord Vivar; Benita Vasquez, and Bob McClaskey.

[ID 23-713](#) Public Comment received for the April 27, 2023, Regular Meeting.

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

On motion of Councilmember Arias, seconded by Vice President Perea, the CONSENT CALENDAR was hereby adopted by the

following vote:

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

Absent: 1 - Karbassi

- 1.-A. [ID 23-524](#) ***RESOLUTION - Declaring a portion of the Fresno Yosemite International Airport (FAT) and a portion of the Fresno Chandler Executive Airport (FCH) (APNs 464-220-43T and 464-020-28T) to be exempt Surplus Land for leasing purposes only as it pertains to the City's use pursuant to the Surplus Land Act (SLA). (Districts 3 and 4) (Subject to Mayor's Veto)

RESOLUTION 2023-113 ADOPTED

RESOLUTION 2023-114 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 1.-C. [ID 23-607](#) ***RESOLUTION - Adopt the 37th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 to appropriate \$2,383,200 from FY 2023 General Fund surplus to various City Departments (Requires 5 Affirmative Votes) (Subject to Mayor's Veto).

RESOLUTION 2023-115 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 1.-D. [ID 23-663](#) Actions pertaining to Commercial Cannabis Activity:
1. Approve the Loan Agreement for Eddie Rodriguez (the Owner) of Truffle Tree LLC, a cannabis social equity business, in the amount of \$75,000 to assist with the start-up, regulatory costs, and operating costs of opening a retail commercial cannabis business in the City of Fresno.
 2. Adopt a Resolution Authorizing the City Manager to award \$114,006.85 in State of California Cannabis Equity Act Grant Funding to each approved Social Equity Applicants.

Councilmember Bredefeld and Councilmember Karbassi each registered a "no" vote on the above item. As Councilmember Karbassi was absent during approval the Consent Calendar, the item was APPROVED 5-1 by the following vote:

Aye: 5 - Perea, Arias, Maxwell, Chavez, Esparza

No: 1 - Bredefeld

Absent: 1- Karbassi

*RESOLUTION 2023-116 ADOPTED***APPROVED ON THE CONSENT CALENDAR**

- 1.-E. [ID 23-611](#) Actions pertaining to the 2022 Community Project Funding (CPF) grant through the department of Housing and Urban Development (HUD):
1. Accept the CPF grant award from HUD totaling \$665,000 for the Urban Heat Island Mitigation and Edible Food Rescue and Distribution project led by Fresno Metro Ministry
 2. Approve Sub-Recipient Agreement with Fresno Metro Ministry totaling \$665,000
 3. ***RESOLUTION - A resolution of the council of the City of Fresno Adopting the 24th amendment to the annual appropriation resolution No. 2022-154 to appropriate \$665,000 from the Department of Housing and Urban Development (HUD) for the Community Project Fund (CPF) grant (Requires five Affirmative Votes) (Subject to Mayor's Veto).

*RESOLUTION 2023-117 ADOPTED***APPROVED ON THE CONSENT CALENDAR**

- 1.-F. [ID 23-649](#) Actions pertaining to Transient Room Tax:
1. ***BILL B-11 (Intro'd 4/20/2023)(For Adoption) Amending Section 7 -602 of the Fresno Municipal Code, relating to compelling short-term rental crowdsourcing entities such as Airbnb, VRBO, etc. to collect Transient Occupancy Tax (TOT) on the City's behalf and to remit the revenue to the City. (Subject to Mayor's Veto)

*ORDINANCE 2023-012 ADOPTED***APPROVED ON THE CONSENT CALENDAR**

- 1.-G. [ID 23-625](#) ***RESOLUTION - Authorizing a Grant Application for \$100,000 to California Automated Permit Processing (CalAPP) Program for establishing an eligible automated, solar permitting platform and authorizing the Planning and Development Department Director or designee to accept grant funds and execute all related documents. (Subject to Mayor's Veto) (Citywide)

*RESOLUTION 2023-118 ADOPTED***APPROVED ON THE CONSENT CALENDAR**

- 1.-H. [ID 23-467](#) Actions pertaining to the agreement with Tyler Technologies for implementation and hosting of Financials, Human Capital Management and Utility Billing software:
1. Approve Amendment 2 reallocating \$161,400 within the project

from unused services. No additional funding is requested.

2. Approve Amendment 3 reallocating \$58,400 within the project from unused services. No additional funding is requested.

APPROVED ON THE CONSENT CALENDAR

- 1.-J. [ID 23-623](#) ***RESOLUTION - Adopt the 13th Amendment to the FY 2023 Salary Resolution No. 2022-152, amending Exhibit 1, Unit 1, Non-Supervisory Blue Collar (Local 39) by adding the new classification of Park Equipment Mechanic I to be flexibly staffed with Park Equipment Mechanic II as a series, and providing a monthly salary step plan range of \$3,715-\$4,515 for the Park Equipment Mechanic I classification; amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) by adding the new classification of Airports Credentialing Technician and providing a monthly salary step plan range of \$3,780-\$4,540 for the classification; and amending Exhibit 13-1, Unit 13, Exempt Supervisory and Professional (CFPEA) by adding the new classification of Airports Credentialing Supervisor and providing a monthly salary step plan range of \$5,527-\$6,693 for the classification, retroactively effective April 24, 2023 (Subject to Mayor's Veto)

RESOLUTION 2023-120 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 1.-K. [ID 23-629](#) Actions pertaining to the 2021 Project Safe Neighborhoods grant program
1. Authorize the Chief of Police to accept \$374,046 in grant funding from the Office of Justice Program (OJP) through the Bureau of Justice Assistance (BJA) and execute the sub award grant agreement between San Diego Association of Governments for the 2021 Project Safe Neighborhoods grant
 2. ***RESOLUTION - Adopt the 32nd amendment to the Annual Appropriation Resolution No. 2022-154 to appropriate \$124,700 for the Project Safe Neighborhoods (PSN) 21 grant program (Requires 5 Affirmative Votes) (Subject to Mayor's Veto)

RESOLUTION 2023-121 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 1.-N. [ID 23-638](#) ***RESOLUTION - 35th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 to appropriate \$77,000 for the Knight Avenue Improvement Project and \$90,400 for the Traffic Signal Improvement Project at Church and Walnut Avenues (Council District 3) (Requires 5 affirmative votes) (Subject to Mayor's veto)

RESOLUTION 2023-124 ADOPTED

APPROVED ON THE CONSENT CALENDAR

- 1.-P. [ID 23-633](#) Actions pertaining to Downtown Fresno Neighborhood Beautification and Cleanup Project on Blackstone Avenue and Abby Street from Olive Avenue to Belmont Avenue, and on Belmont Avenue from Abby Street to First Street (RFP No. 12301221) (Council Districts 3 & 7):
1. Adopt finding of Categorical Exemption per staff determination, pursuant to Sections 15301/Class 1 (Existing Facilities) and 15302/Class 2 (Replacement or Reconstruction) of the California Environmental Quality Act (CEQA) Guidelines, Environmental Assessment Number PW01012, dated April 12, 2023
 2. Award a requirements contract to ScrubCan, Inc. of Fresno, CA, in the amount of \$113,760 for a one-year contract for Business Corridor Litter Abatement Services on Blackstone Avenue, Abby Street, and Belmont Avenue business corridors

APPROVED ON THE CONSENT CALENDAR

- 1.-Q. [ID 23-609](#) Actions pertaining to the Veterans Boulevard Grade Separation Project (Council District 2)
1. ***RESOLUTION - 36th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 appropriating \$413,500 for the Veterans Boulevard Grade Separation Project (Requires 5 Affirmative Votes) (Subject to Mayor's veto)
 2. Approve Contract Change Order No. 28 in the amount of \$218,740 and an increase in contract time of nine (9) working days with Granite Construction Company for the Veterans Boulevard Grade Separation Project, Project ID PW00683

RESOLUTION 2023-126 ADOPTED**APPROVED ON THE CONSENT CALENDAR**

- 1.-R. [ID 23-608](#) Actions pertaining to Final Map of Tract No. 6400
- RESOLUTION - Approving the Final Map of Tract No. 6400, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - located near the northeast corner of East Clinton Avenue and North Armstrong Avenue (Council District 7)

RESOLUTION 2023-127 ADOPTED**APPROVED ON THE CONSENT CALENDAR**

- 1.-T. [ID 23-595](#) Actions pertaining to the Department of Transportation Fresno Area Express Replace HVAC FAX Administration Building Project, Project ID: FC00036

1. Approve Contract Change Order No. 4 to Strategic Mechanical, Inc. in the amount of \$93,898.43
2. Approve Contract Change Order No. 5 to Strategic Mechanical, Inc. in the amount of \$1,644.74

APPROVED ON THE CONSENT CALENDAR

- 1.-U. [ID 23-594](#) Approve an agreement for professional engineering services with O'Dell Engineering, Inc. for \$429,400, with a \$44,000 contingency, for design and construction support services for the Play Structure Improvements Project (Council Districts 2, 3, 4, 5, 6, 7)

APPROVED ON THE CONSENT CALENDAR

- 1.-V. [ID 23-593](#) Approve an agreement for professional engineering services with O'Dell Engineering, Inc. for \$93,900, with a \$22,000 contingency, for design and construction support services for the Milburn Overlook Redesign and Construction Project (Council District 2)

APPROVED ON THE CONSENT CALENDAR

- 1.-W. [ID 23-573](#) ***RESOLUTION - Approving the application for project funding from the San Joaquin River Conservancy and authorizing the Director of Public Works or Designee to accept project funds and execute all application and funding related documents with the San Joaquin River Conservancy on behalf of the City of Fresno for the construction of a Traffic Signal and Intersection Improvements at Audubon Drive and Del Mar Avenue (Council District 2) (Subject to Mayor's Veto)

RESOLUTION 2023-129 ADOPTED**APPROVED ON THE CONSENT CALENDAR**

- 1.-Y. [ID 23-647](#) A Resolution of the Council of the City of Fresno, California, Supporting a City contribution of funds to FCTC Senior, LP for the construction of water infrastructure necessary to meet fire suppression requirements, in an amount not to exceed \$2,700,000, associated with the Fancher Creek Town Center Development and Affordable Housing project therein.

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

TABLED

- 1.-Z. [ID 23-672](#) Bill (For Introduction) - Amending Chapter 9, Article 26 of the Fresno Municipal Code to add Section 9-2610, "Sideshowes, Street Races, and Reckless Driving Exhibitions," prohibiting the knowing participation as a driver, passenger, or spectator in sideshows, street races, or reckless driving exhibitions.

*BILL B-13 APPROVED, INTRODUCED AND LAID OVER***APPROVED ON THE CONSENT CALENDAR**

- 1.-AA. [ID 23-661](#) ***RESOLUTION - Adopting a pilot program to incentivize job creation within portions of the Tower District located within Districts 1 and 3 and the portion of the area west of Highway 99 between Clinton Avenue and Shaw Avenue located within District 1. (Subject to Mayor's Veto)

The above item was tabled to May 11, 2023, by Vice President Perea.

TABLED

- 1.-BB. [ID 23-662](#) RESOLUTION - Amending the Council Communication Policy

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

ADOPTED

- 1.-CC. [ID 23-689](#) Actions pertaining to the State of California's Homekey 3 Program and development of permanent affordable housing at 6507 North Polk Avenue (506-130-04) (District 2):
1. ***RESOLUTION - Authorizing joint application to and participation in the State of California's Homekey 3 Program to sustain and rapidly expand housing for persons experiencing homelessness or at risk of homelessness and authorizing the City Manager or designee to sign all required implementing documents. (Subject to Mayor's Veto).
 2. ***RESOLUTION - In support of future City Contribution of Funds for construction and development expenses associated with the project in an amount not to exceed \$2,800,000 upon full award of Homekey 3 funding for Valley Teen Ranch's Welcome Home project. (Subject to Mayor's Veto)

RESOLUTION 2023-109 ADOPTED

RESOLUTION 2023-110 ADOPTED

APPROVED ON THE CONSENT CALENDAR**CONTESTED CONSENT CALENDAR**

- 1.-B. [ID 23-636](#) Actions related to Bid File 12300507 soliciting proposals to manage and operate Food & Beverage Concessions and News & Convenience Concessions at Fresno Yosemite International Airport (FAT). (Council District 4)

1. Award a fifteen-year term Agreement to SSP America, Inc. dba SSP America FAT, LLC, for Food & Beverage Concessions (F&B) at Fresno Yosemite International Airport (FAT) and authorize the Director of Aviation (Director) to execute the contractual document(s) (Bid File 12300507) (District 4); and
2. Award a fifteen-year term Agreement to Hudson Group Retail, LLC, dba HG Fresno Concessionaires JV, for News & Convenience Concessions (N&C) at Fresno Yosemite International Airport (FAT) and authorize the Director of Aviation (Director) to execute the documents (Bid File 12300507) (District 4). The potential revenue of both contracts is \$1,295,045 annually. Total anticipated revenue during the full term of both contracts is approximately \$19,425,673.

Councilmember Arias moved this item to Consented Consent to discuss the vendor's history of litigation concerning overtime and the possibility of amending the contract to limit exposure on labor issues.

Council discussion on this item included: provide a six month update to Council following implementation of the agreement; termination provisions in the agreement; potential issues for termination of the contract, and requesting the theme for the international terminal to be authentic Mexican cuisine.

APPROVED

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

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

- 1.-I. [ID 23-671](#) ***RESOLUTION - Adopt the Eighth Amendment to the Position Authorization Resolution ("PAR") No. 2022-153 entitled, "A Resolution of the Council of the City of Fresno establishing the number of positions authorized in the various departments and offices of the City for Fiscal Year 2023," to add a total of four positions: one full time Projects Administrator; one full time Program Manager; and two full time Senior Management Analysts, in the Parks, After School, Recreation, and Community Services ("PARCS") Department. (Subject to Mayor's veto).

Councilmember Bredefeld moved this item to Consented Consent but subsequently received an answer to his question. There was no council discussion.

RESOLUTION 2023-119 ADOPTED

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

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

- 1.-L. [ID 23-642](#)** Actions pertaining to the 2021 National Sexual Assault Kit Initiative (SAKI) grant program, herein referred to as the SAKI grant
1. Authorize the Chief of Police or his designee to accept \$1,000,000 in grant funding for the SAKI grant awarded to the Fresno Police Department from the U.S. Department of Justice, through the Office of Justice Programs Bureau of Justice Assistance (BJA)
 2. Authorize the Chief of Police or his designee to enter into a Memorandum of Understanding (MOU) with the Fresno County District Attorney's Office to fund .10 of the full-time equivalent Senior Deputy District Attorney for years two and three of the three-year grant performance period totaling \$51,120 (\$25,560 Year 2 and \$25,560 Year 3)
 3. ***RESOLUTION -Adopt the 9th Amendment to Position Authorization Resolution ("PAR") No. 2022-153 entitled "a Resolution of the Council of the City of Fresno establishing the number of positions authorized in the various departments and offices of the City for Fiscal Year 2023;" adding two full-time Crime Specialist positions to the Fresno Police Department (Subject to Mayor's Veto)

Councilmember Arias and Councilmember Esparza moved the above item to Consented Consent to discuss the accountability for the funding allocated to the District Attorney's Office.

Council discussion on this item included: what guarantees does the city have on the full-time equivalent being utilized for the purpose and what is the accountability for receiving the services.

RESOLUTION 2023-122 ADOPTED

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

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

- 1.-M.** [ID 23-631](#) Actions pertaining to the FY 2022 Community Oriented Policing Services (COPS) Hiring Program grant, herein referred to as the COPS Metro Bike Unit grant
1. Authorize the Chief of Police or his designee to accept \$1,500,000 in grant funding for the 2022 COPS Hiring Program grant awarded to the Fresno Police Department from the U.S. Department of Justice, through the Office of Community Oriented Policing Services (COPS) and to execute all related documents applicable to the COPS Hiring Program
 2. ***RESOLUTION -Adopt the 10th Amendment to Position Authorization Resolution ("PAR") No. 2022-153 entitled "a Resolution of the Council of the City of Fresno establishing the number of positions authorized in the various departments and offices of the City for fiscal year 2023"; adding twelve full-time Police Officer positions to the Fresno Police Department (subject to Mayor's veto)

Council President Maxwell and Councilmember Esparza moved this item to Consented Consent for additional clarification.

Council discussion on this item included: is the financing similar to SAFR, where the city is helping subsidize the positions; taking experienced officers and putting them on the Bike Units; what does a dedicated bike position mean; the locations the bike unit will cover, El Dorado Park, Fashion Fair Mall, Tower District, Kings Canyon Corridor, Shaw and Marks, and Shaw and Blackstone area; buddy system - two bike officers per bike team; enforcement will be Monday through Sunday; the ideal time for the bike officers during regular business hours; flexibility in the policing area; how flexible is the grant money to reallocate the bike officers throughout the day; patrolling the Blackstone Avenue area; is the three per team adjustable to patrol Blackstone; where the bike unit will be most effective; what Fiscal Year will be paid for the total cost; what is the split between now and then; will the upcoming budget reflect additional officers; the data on the effectiveness on the existing special units; are there any special unit under performing and have dissolved; long term absences and if the unit it still active to reduce workmen's comp, and a request to schedule a ride along for District 1 and District 3 to ride along the Tower District.

RESOLUTION 2023-123 ADOPTED

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

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

- 1.-O.** [ID 23-634](#) ***RESOLUTION - Authorizing the Submission of a Grant Application to the California Department of Transportation for the Clean California Local Grant Program Cycle 2 in the amount of \$5,000,000 for the South Fresno Litter Abatement, Beautification, and Placemaking Project at Shields Avenue from Weber Avenue to Hughes Avenue, Brawley Avenue and Fountain Way, Kearney Boulevard from Fresno Street to Marks Avenue, Midtown Trail Segment 4, Van Ness Avenue from Floradora Avenue to Home Avenue, and Highway Litter Abatement on SR-41, SR-180, SR-99, and Golden State Boulevard; and Authorizing the Execution of Grant Application and Grant Agreement Documents by the Public Works Director or Designee (Council Districts 1, 3, 4 and 7) (Subject to Mayor's Veto)

Council President Maxwell moved this item to Consented Consent for a clarification of what items are and are not included in the grant.

Council discussion on this item included: the District 4 specific portion; when will the fixtures be implemented on the trail; will there be any benches, trees, or lighting on the project; litter abatement and will additional appropriations be needed to add the additional fixtures.

RESOLUTION 2023-125 ADOPTED

On motion of Council President Maxwell, seconded by Vice President Perea, that the above Action Item be ADOPTED. The motion carried by the following vote:

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

- 1.-S.** [ID 23-596](#) ***RESOLUTION - Adopting the 34th amendment to the Annual Appropriations Resolution (AAR) No. 2022-154 appropriating \$1,761,500 for the Parks and Public Safety Energy Efficiency Projects (Citywide) (Requires 5 Affirmative Votes)(Subject to Mayor's Veto)

Councilmember Arias moved this item to Consented Consent to request a list of projects that were still pending.

RESOLUTION 2023-128 ADOPTED

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

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

- 1.-X.** [ID 23-463](#) Actions pertaining to the disposal of vacated roadway properties associated with the State Route 99 Realignment Project (Council District 3):
1. ***RESOLUTION - Declaring a portion of the southeast corner of North Parkway Drive and West Shields Avenue; a portion of North Parkway Drive, north of West Weldon Avenue; and a portion of North Marks Avenue, north of the Marks-Shields Connector to be exempt surplus land (Subject to Mayor's Veto)
 2. RESOLUTION - Finding Good Cause and Clear and Convincing Benefit to the Public pursuant to Fresno Municipal Code section 4-204, relating to the Disposition of Real Surplus Property being a portion of the southeast corner of North Parkway Drive and West Shields Avenue; a portion of North Parkway Drive, north of West Weldon Avenue; and a portion of North Marks Avenue, north of the Marks-Shields Connector (Requires 5 Affirmative Votes)
 3. Approve the execution of the Property Transfer Agreement and authorize the Public Works Director or designee to execute the Property Transfer Agreement and associated Grant Deeds with Caltrans for the transfer of the Subject Properties

Councilmember Arias moved this item to Consented Consent in order to make a motion to approve the item with the following amendment: to eliminate section "B" in the exhibit, which is the North Parkway Drive property.

*RESOLUTION 2023-130 ADOPTED AS AMENDED**RESOLUTION 2023-131 ADOPTED*

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

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

Absent: 1 - Chavez

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. #1[ID 23-617](#)

Tax Equity and Financial Responsibility Act (TEFRA) public hearing.

TEFRA HEARING - To hear and consider information concerning the proposed issuance of tax-exempt bonds by California Enterprise Development Authority for the purpose of financing the acquisition, construction, installation and equipping of a healthcare facility located at 4615 & 4623 North First Street, Fresno, California 93726 (the Facility) and paying certain costs of issuance in connection with such financing by United Health Centers of the San Joaquin Valley.

1. ***RESOLUTION - Approving the issuance by the California Enterprise Development Authority of not to exceed \$10,000,000 aggregate principal amount of the California Enterprise Development Authority's Revenue Bonds for the purpose of financing the cost of developing, constructing, installing, equipping and furnishing of a facility for the benefit of United Health Centers of the San Joaquin Valley and other matters relating thereto (Subject to Mayor's veto).

The above hearing was called to order at 11:55 a.m. Upon call, there was no public comment for this item. The public comment period closed at 11:56 a.m. There was no staff presentation and no Council discussion.

RESOLUTION 2023-132 ADOPTED

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

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

10:00 A.M. #2[ID 23-640](#)

Actions pertaining to the City of Fresno Airport Revenue Bonds:

1. TEFRA HEARING - Tax Equity and Fiscal Responsibility Act (TEFRA) to hear and consider information concerning the proposed issuance of tax-exempt bonds by the City of Fresno of exempt facility bonds for the purpose of financing various improvements at Fresno Yosemite International Airport
2. ***RESOLUTION - Authorizing the issuance, sale and delivery of City of Fresno Airport Revenue Bonds, Series 2023 Bonds, authorizing the execution and delivery of a fourth supplemental indenture, bond purchase contract, escrow agreement, continuing disclosure certificate, official statement, and related documents, and authorizing

certain other actions and the execution of certain other documents in connection therewith. (Requires 5 Affirmative Votes) (Subject to Mayor's veto)

The above hearing was called to order at 11:56 a.m. Upon call, there was no public comment for this item. The public comment period closed at 11:58 a.m.

Council discussion on this item included: the bond refinancing authority includes sufficient dollars to incorporate the expansion to the international terminal that the council previously requested; the design of the additional capacity in the international terminal, and the staff was congratulated for their hard work with the bond issuance and recognized the rating was a stable "A+."

RESOLUTION 2023-133 ADOPTED

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

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

10:05 A.M.

ID 23-613

Actions pertaining to the 2023-2024 Annual Action Plan:

1. HEARING to obtain public comments regarding the Draft 2023-2024 Annual Action Plan; and
2. ***RESOLUTION - Adopting the 2023-2024 Annual Action Plan; approving submission to the U.S. Department of Housing and Urban Development (HUD) for application of \$6,897,161 Community Development Block Grant (CDBG), \$3,578,083 HOME Investment Partnerships (HOME), \$601,082 Emergency Solutions Grant (ESG), and \$990,192 Housing Opportunities for Persons with AIDS/HIV (HOPWA) program funds; providing for subrecipient agreements; and Authorizing the City Manager to sign all implementing documents required by HUD as approved to form by the City Attorney (Subject to Mayor's Veto)

The above hearing was called to order at 2:38 p.m. Housing and Neighborhood Revitalization Manager Jenks and Planning Director Clark made the presentation to Council. Upon call, the following members of the

public addressed Council: Brandi Nuse-Villegas and Emily Brandt. The public comment period was closed at 2:45 p.m.

Councilmember Arias motion to approve the item with the following amendment: the city will move \$796,711 in the CBDG funds from the Parks, After School, and Senior programs to affordable housing development and land acquisition. Councilmember Arias clarified the City would still run the programs but would do so with existing city funds, not with CDBG funds.

RESOLUTION 2023-134 ADOPTED AS AMENDED

On motion of Councilmember Arias, seconded by Council President Maxwell, that the above Action Item be ADOPTED AS AMENDED. The motion carried by the following vote:

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

10:10 A.M.#1

[ID 23-645](#) Appearance by Cruz Gonzales to discuss Kings Canyon Renaming Project. (District 4 Resident)

Upon call, Cruz Gonzles addressed Council.

APPEARED

10:10 A.M.#2

[ID 23-646](#) Appearance by Community Compact to discuss rescinding the Kings Canyon renaming Resolution. (District 5 Resident)

Upon call Pastor BT Lewis addressed Council on behalf of Community Compact.

APPEARED

10:20 A.M.

[ID 23-673](#) HEARING to consider adoption of a resolution related to the designation of a property to the Local Register of Historic Resources
1. ***RESOLUTION - Designating the Sequoia Hotel/Fink & Skopp building located at 925-933 Van Ness Avenue, Fresno California to the Local Register of Historic Resources (APN46825403) (District 3) (Subject

to Mayor Veto).

The above hearing was called to order at 2:46 p.m. Planning Director Clark made the presentation to Council. Upon call, the following members of the public addressed Council: Armen Devejian and James Sponslor. The public comment period was closed at 2:59 p.m.

Councilmember Arias discussed the history of the building and recommended to deny the request to designate the building to allow the path to be clear for a new building to be built.

Councilmember Arias motion to deny the historic designation in the local registry.

MOTION TO DENY HISTORIC DESIGNATION APPROVED

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

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

3. GENERAL ADMINISTRATION

- 3.-A.** [ID 23-465](#) WORKSHOP - Annual Review of the Community Workforce Agreement (Project Labor Agreement)

The above item was removed from the agenda by staff and tabled to May 11, 2023.

TABLED

- 3.-B.** [ID 23-651](#) WORKSHOP - NLC Service Line Warranty Program by HomeServe

The above workshop was presented to Council by Senior Director, Business Development Larry Byrne.

Council discussion on this item included: the proposing optional insurance for residential customers at no cost to the city; what is the average cost to the homeowner, and if other companies offer the product.

PRESENTED

4. CITY COUNCIL

5. CLOSED SESSION

During open session, City Attorney Janz announced the items that would be discussed in closed session.

Council withdrew to closed session at 4:05 p.m. and returned to open session at 4:49 p.m.

5.-A. [ID 23-658](#)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Government Code Section 54956.9, subdivision (d)(2)

Significant Exposure to Litigation: Bakman Water Company v. City of Fresno

The above item was removed from the agenda by the City Attorney's Office .

TABLED WITH NO RETURN DATE

5.-B. [ID 23-674](#)

CONFERENCE WITH LABOR NEGOTIATORS - Government Code
Section 54957.6

City Negotiators: TJ Miller

Employee Organizations:

1. International Union of Operating Engineers, Stationary Engineers, Local 39 (Local 39); 2. Fresno City Employees Association (FCEA); 3. Fresno Police Officers Association (FPOA Basic), Unit 4; 4. International Association of Firefighters, Local 753, Unit 5 (Fire Basic); 5. Amalgamated Transit Union, Local 1027 (ATU); 6. International Brotherhood of Electrical Workers, Local 100 (IBEW); 7. Fresno Police Officers Association (FPOA Management); 8. International Association of Firefighters, Local 753, Unit 10 (Fire Management); 9. City of Fresno Professional Employees Association (CFPEA); 10. City of Fresno Management Employees Association (CFMEA); 11. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Supervisors (FAPSS); 12. Operating Engineers, Local Union No. 3, Fresno Airport Public Safety Officers (FAPSO); 13. Unrepresented Employees in Unit 2 (Non-Represented Management and Confidential Classes): Airport Public Safety Manager, Assistant City Attorney, Assistant City Manager, Assistant Controller, Assistant Director, Assistant Director of Personnel Services, Assistant Director of Public Utilities, Assistant Director of Public Works, Assistant

Police Chief, Assistant Retirement Administrator, Background Investigator, Budget Analyst, Budget Manager, Chief Assistant City Attorney, Chief Information Officer, Chief Labor Negotiator, Chief of Staff to Councilmember, Chief of Staff to the Mayor, City Attorney (City Negotiator, Council President Maxwell), City Attorney Investigator, City Clerk (City Negotiator, Council President Maxwell), City Engineer, City Manager (City Negotiator, Mayor Dyer), Community Coordinator, Community Outreach Specialist, Controller, Council Assistant, Deputy City Attorney II, Deputy City Attorney III, Deputy City Manager, Director, Director of Aviation, Director of Development, Director of Personnel Services, Director of Public Utilities, Director of Transportation, Economic Development Coordinator, Economic Development Director, Executive Assistant to Department Director, Executive Assistant to the City Attorney, Executive Assistant to the City Manager, Executive Assistant to the Mayor, Fire Chief, Governmental Affairs Manager, Human Resources Manager, Independent Reviewer, Internal Auditor, Investment Officer, Management Analyst II, Payroll Accountant, Payroll Manager, Police Chief, Principal Budget Analyst, Principal Internal Auditor, Principal Labor Relations Analyst, Project Liaison/Program Administrator, Public Affairs Officer, Public Works Director, Retirement Administrator, Retirement Benefits Manager, Retirement Office Manager, Senior Budget Analyst, Senior Deputy City Attorney I, Senior Deputy City Attorney II, Senior Deputy City Attorney III, Senior Human Resources/Risk Analyst, Senior Law Clerk, Supervising Deputy City Attorney

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

DISCUSSED

- 5.-C. [ID 23-677](#) CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 potential case

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

DISCUSSED

- 5.-D. [ID 23-52](#) PUBLIC EMPLOYEE PERFORMANCE EVALUATION
1. Government Code Section 54957(b): consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee.
Title: City Clerk
 2. Government Code Section 54957.6: conference with labor

negotiator. City Negotiator: Council President Tyler Maxwell.
Unrepresented Employee: City Clerk

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

DISCUSSED

5.-E. [ID 23-51](#)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

1. Government Code Section 54957(b): consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee.

Title: City Attorney

2. Government Code Section 54957.6: conference with labor negotiator. City Negotiator: Council President Tyler Maxwell.
Unrepresented Employee: City Attorney

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

DISCUSSED

ADJOURNMENT

The meeting adjourned at 4:59 p.m.

The above minutes were approved by unanimous vote of the City Council during the May 11, 2023, regular meeting.