

# City of Fresno

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



## Meeting Minutes – Final

Thursday, July 15, 2021

9:00 AM

Regular Meeting

Electronic Only

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***

***Interim City Clerk – Briana Parra, CMC***

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

Council President Chavez called the meeting to order at 9:02 A.M.  
Councilmember Soria was absent during roll call and joined the meeting at 9:03 A.M.

**Present: 6**        Council President Luis Chavez  
                         Council Vice President Nelson Esparza  
                         Councilmember Esmeralda Soria  
                         Councilmember Mike Karbassi  
                         Councilmember Miguel Arias  
                         Councilmember Tyler Maxwell

**Absent: 1**         Councilmember Garry Bredefeld

**ID 21-22814** Invocation by Reverend Raygan Baker of The Big Red Church

**ID 21-22815** Pledge of Allegiance to the Flag

**APPROVE AGENDA**

*Interim City Clerk Parra announced the following changes to the agenda:*

*Council Vice President Esparza requested the meeting be adjourned in memory of Mo Bagunu, member of the Fresno EIFD Public Financing Authority.*

*The following items were requested to be pulled from the agenda with no return date:*

- 1. 1-V File ID 21-22972 – Resolution – In Support of Northwest Fresno’s Sierra Sky Park was requested to be removed from the agenda by Councilmember Karbassi.*
  
- 2. 1-Y File ID 21-22975 – Approve an agreement with Wallace, Roberts and Todd, Inc., in the amount of \$552,090 with a \$50,000 contingency for Planning Services related to Measure P Implementation, including an update for the Parks Master Plan was requested to be continued to July 29, 2021. However, Councilmember Maxwell requested the item be removed indefinitely.*

*Councilmember Maxwell requested the agreement with Wallace, Roberts, and Todd, Inc., not return to the Council until the Parks, Recreations, and Arts Commission has a chance to discuss the agreement. City Manager Esqueda agreed and confirmed the agreement is scheduled to be discussed on Monday, July 19, 2021 before the Parks, Recreations, and Arts Commission.*

*The following items were requested to be pulled from the agenda to a future date:*

- 1. 1-W File ID 21-22917 – BILL (For Introduction) Modifying Sections 1901 and 1905 of Chapter 14 of the Fresno Municipal Code relating to taxiing aircraft and parking of aircraft and other vehicles on public streets in Sierra Sky Park (District 2) was requested to be removed from the agenda and continued to July 29, 2021 by Councilmember Karbassi and the department.*
- 2. 1-X File ID 21-22953 – Actions pertaining to Resolution of Intention No. 1142D to vacate a portion of West Spaatz Avenue and North Dootlittle Drive between North Blythe Avenue and West Herndon Avenue (Council District 2) was requested to be removed from the agenda and continued to July 29, 2021 by Councilmember Karbassi and the department.*

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

- 1. 1-I File ID 21-22919 – Reject all bids for the Fresno Area Express (FAX) Wi-Fi Pilot Project (Bid File #9573) was requested to be pulled by Councilmember Maxwell for further discussion.*
- 2. 1-M File ID 21-22792-01 – \*\*\*BILL No. 31 (Intro 6/24/2021) (For Adoption) – Amending Section 9-1609 of the Fresno Municipal Code relating to suspension and revocation of massage business registration certificates. (Subject to Mayor's veto) was requested to be pulled by Councilmember Maxwell for further discussion.*
- 3. 1-N File ID 21-22872 – Actions pertaining to housing stability service contracts through the Emergency Rental Assistance program:
  - 1. Approve an agreement with Marjaree Mason Center for \$500,000 to provide housing stability services for victims of domestic violence.*
  - 2. Approve an agreement with Breaking the Chains for \$250,000 to provide housing stability services for victims of human trafficking was requested to be pulled by Councilmember Maxwell for further discussion.**
- 4. 1-O File ID 21-22683 – Actions pertaining to the fixed license plate recognition equipment and software.
  - 1. Adopt a finding of categorical exemption pursuant Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.**

2. *Approve the first amendment to the consulting services agreement with Vigilant Solutions, LLC., to increase the original contract amount of \$217,341, by \$25,190, for a total amended contract amount of \$242,531, to complete the expanded scope of work. was requested to be pulled by Council Vice President Esparza for further discussion.*
  
5. *1-R File ID 21-22924 – Actions pertaining to the City of Fresno Local Housing Trust Fund:*
  1. *\*\*\*RESOLUTION - Establishing the City of Fresno Local Housing Trust Fund (Subject to Mayor’s veto)*
  2. *\*\*\*RESOLUTION - Authorizing and directing submission of an application for funding under the State of California Local Housing Trust Fund Grant program to provide matching funds to the City of Fresno Local Housing Trust Fund (Subject to Mayor’s veto) was requested to be pulled by Councilmember Maxwell for further discussion.*
  
6. *1-S File ID 21-22776 - Approve a Contract Change Order Number 1 to Durham Construction Inc., of Clovis, California in the amount of \$536,825 for additional work at the Travel Inn Motel Rehabilitation for Homeless Relocation Project (Council District 3) was requested to be pulled by Councilmember Arias for further discussion.*

*Council President Chavez recused himself from 1-L File ID 21-22964 – Approve a one-year Sub-Recipient Agreement with Fresno Economic Opportunities Commission (FEOC) to operate social service transportation in Urban Fresno County for an amount not to exceed \$1,230,666*

**On motion of Councilmember Arias, seconded by Council Vice President Esparza, the above item be approved as amended. The motion carried by the following vote:**

**Aye:** Chavez, Esparza, Soria, Karbassi, Arias, Maxwell  
**Absent:** Bredefeld  
**Status:** 6 – 0 – Pass

**CEREMONIAL PRESENTATIONS**

**ID 21-23006** Proclamation of “Patrick Boyd Day”

*PRESENTED*

## **COUNCILMEMBER REPORTS AND COMMENTS**

*Councilmember Soria announced she will be hosting a community meeting on Wednesday, July 21, 2021 at 6:00 P.M. regarding the Echo Weldon Park. She thanked those who participated in District 1's first in person community meeting to discuss an issue related to a Bodega and Deli that will be coming to the Fresno High neighborhood.*

*Councilmember Karbassi requested the meeting be adjourned in memory of John Horstmann, Sr., former Leon S. Peter's Award recipient. He spoke regarding Jalen Green a basketball player who is being considered a top NBA draft pick as of 2021 and who is giving back to the community to renovate his childhood basketball court at Koligian Park in District 2 on Saturday, July 17, 2021 at 11:00 A.M.*

*Councilmember Arias announced there will be an event at Saint Rest Baptist Church on Saturday, July 24, 2021 at 3:00 P.M.; this event will include free COVID-19 vaccines. He announced at 6:15 P.M., Council will have its third public hearing for the redistricting process for the City of Fresno. He gave thanks to the community for District 3 construction plans on roads in Downtown and West Fresno. He welcomed everyone back into the chambers and specifically wanted to welcome the homeless community who were in attendance.*

*Councilmember Maxwell announced Saturday, July 24, 2021 at 8:00 A.M. to 10:00 A.M., there will be a Beautify Fresno Event to clean up the Melody Park area around Shields and Fowler. He spoke regarding the second week of "Why I Ride" contest to promote the zero-fare transportation. He is giving away \$100 each week for the month of July. He thanked Detective Danny Kim the POP Officer for Northeast Fresno. Detective Kim has put in a lot of work for the Youth Outreach Through the Arts (YOTA) Program. He spoke regarding his Lawn Rebate program, a program for anyone who is interested in saving on their water bill and improve their landscaping.*

*Council Vice President Esparza wanted to thank the volunteers who came out on June 26, 2021 for participating in the Beautify Fresno event at Radio Park. He announced on Thursday, July 29, 2021, there will be a Beat the Heat community event from 4:00 P.M. to 7:00 P.M. at Romain Park. He spoke regarding the recent passing of General Manager of Manchester Center and a member of the Fresno EIFD Financing Authority, Mo Bagunu.*

*Council President Chavez spoke regarding the recent passing of Mr. Bagunu and expressed his condolences to the family. He thanked the Administration for opening the cooling center, pools, and splash pads in the community, and asked if pets were allowed*

*in the facility. Mayor Dyer responded yes. He spoke regarding the amount of calls his office received regarding the fires caused by the 4<sup>th</sup> of July holiday. He stated he is working with Councilmember Arias and the Mayor on an ordinance to come up with a long term solution.*

**MAYOR/MANAGER REPORTS AND COMMENTS**

*Mayor Dyer spoke regarding Project off Ramp for the past week and relocation of 105 individual into housing for a total of 423 homeless individuals who have been housed. He spoke regarding the launched of another Camp Fresno, a day camp for youth and three-day camp, he sent 186 kids from the community to Camp Fresno. There will be 11 more camps this summer. He will be working with Council President Chavez on the firework ordinance and enforcement efforts for next year.*

*City Manager Esqueda thanked staff for completing Fiscal Year 2022 budget and will be working on purchasing vehicles, and adding and filling the vacancies. He will be scheduling meetings with each Councilmember to go over the implementation plan for the budget before meeting again for the mid budget.*

**UNSCHEDULED COMMUNICATION**

**PLEASE NOTE: UNSCHEDULED COMMUNICATION IS NOT SCHEDULED FOR A SPECIFIC TIME AND MAY BE HEARD ANY TIME DURING THE MEETING**

*Upon call, the following members addressed Council: Cynthia Sterling, Sabrina Kelly, Debbie Darden, Pastor BT Lewis, Pastor DJ Criner, Eric Payne, Karla Martinez, Robert McCloskey, Robert Morrissey, Brandi Villegas, Dez Martinez, Shelly, Flower, Shi'an, Erine, Lance Kruse, Mary Curry, Tiffany Mangum, and Lisa Flores.*

*Councilmember Soria and Councilmember Arias requested the Administration take the names of the homeless individuals who are in attendance and place them in housing. City Manager Esqueda responded.*

**1. CONSENT CALENDAR**

**On motion of Councilmember Karbassi, seconded by Councilmember Soria, the below Consent Calendar items were approved. The motion carried by the following vote:**

**Aye: Chavez, Esparza, Soria, Karbassi, Maxwell  
Absent: Arias, Bredefeld  
Status: 5-0-Pass**

**1-A ID 21-0250** Approval of minutes for June 22, 2021 Vote on Budget Motions,

June 24, 2021 Regular Meeting, and June 24, 2021 Special Meeting.

- 1-B ID 21-22927** RESOLUTION - Concerning Measure C Extension Local Transportation Purposes Pass-Through Projects and Program Funds annual allocation for Fiscal Year 2021-2022

*RESOLUTION 2021-185 ADOPTED*

- 1-C ID 21-22922** \*\*\*RESOLUTION – Adopt the 1st Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 2, Unit 2, Non-Represented and Confidential Classes to reclassify the salary range for the City Clerk position from E5 (9588-13460) to E4 (11398-16344), effective July 15, 2021. (Subject to Mayor’s Veto)

*RESOLUTION 2021-186 ADOPTED*

- 1-D ID 21-22920** Reject all bids for the construction of the Solid Waste Convenience Center at 4111 N. Winery Avenue (Bid File 3790) (Council District 4)

- 1-E ID 21-22928** Actions pertaining to the Closed-Circuit Television Inspections of Large Diameter Sewer Mains (Bid File 9602) (Citywide):
1. Adopt a finding of Categorical Exemption pursuant to Class 6, Section 15306 (Information Collection) of the California Environmental Quality Act Guidelines
  2. Award a Requirements Contract to National Plant Service Inc., in the amount of \$690,224.00

- 1-F ID 21-22888** Approve the award of a cooperative purchase agreement to Terex Utilities, Inc., of Watertown, South Dakota, for the purchase of one Terex digger derrick truck in the amount of \$307,770 procured by means of a cooperative purchase agreement with Sourcewell, for the Department of Public Works, Street Maintenance Division

- 1-G ID 21-22890** Approve the award of a cooperative purchase agreement to Pape Kenworth of Fresno, CA, for the purchase of two Kenworth T880 dump trucks in the amount of \$359,124, procured by means of a cooperative purchase agreement with Sourcewell, for the Department of Public Works Street Maintenance Division and Department of Public Utilities Wastewater Management Division

- 1-H ID 21-22891** Approve Contract Change Order 03 to Red Wave Communications, Inc., in the amount of \$22,990.66 with a total contract value of \$552,936 for additional fire life safety requirements at the Department of Transportation Fresno Area Express maintenance building and bus yard associated with the Fire Alarm Upgrade Project

**1-I ID 21-22919** Reject all bids for the Fresno Area Express (FAX) Wi-Fi Pilot Project (Bid File #9573)

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

*The above item was introduced to Council by Assistant Director Barr, Department of Transportation.*

*Councilmember Maxwell spoke regarding the WiFi Pilot Project and directed staff to provide a detailed plan as to the progress, the timelines, and the plan on reaching the goals.*

*Councilmember Arias requested the staff come back to Council in 60 days with more information on the pilot program.*

**On motion of Councilmember Maxwell, seconded by Council President Chavez, the above item be Approved. The motion carried by the following vote:**

**Aye:** Esparza, Chavez, Soria, Karbassi, Arias, Maxwell

**Absent:** Bredefeld

**Status:** 6 – 0 – Pass

**1-J ID 21-22926** Approve the Third Amendment to the professional Consultant Agreement with SZS Engineering, Inc., in the amount of \$6,690 above the base contract for additional Americans with Disabilities Act bus stop assessments as a result of recent route changes and operational improvements with a total contract value of \$248,674.86

**1-K ID 21-22952** Award a construction contract to Avison Construction Inc., of Madera, California, in the amount of \$894,500.00 for the Department of Transportation Fresno Area Express rebid of the Bus Entry Gate project and authorize the Director of Transportation to execute the documents (Bid File #3797)

**1-L ID 21-22964** Approve a one-year Sub-Recipient Agreement with Fresno Economic Opportunities Commission (FEOC) to operate social service transportation in Urban Fresno County for an amount not to exceed \$1,230,666

**On motion of Councilmember Karbassi, seconded by Councilmember Soria, the above item be Approved. The motion carried by the following vote:**



**Aye:** Esparza, Soria, Karbassi, Maxwell

**Recuse:** Chavez

**Absent:** Arias, Bredefeld

**Status:** 4 – 0 – **Pass**

- 1-M ID 21-22792-01** \*\*\*BILL No. 31 (Intro 6/24/2021) (For Adoption) – Amending Section 9-1609 of the Fresno Municipal Code relating to suspension and revocation of massage business registration certificates. (Subject to Mayor’s veto)

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

*BILL 31 APPROVED AS AMENDED, RE-INTRODUCED AND LAID OVER*

**On motion of Councilmember Maxwell, seconded by Councilmember Soria, the above item be approved as amended to Section (d) Effective Date of Suspension or Revocation for the following language to read as follows: “Suspension or revocation will be effective ten days from the date the notice was personally delivered, or ten days from the date the notice was mailed”. The motion carried by the following vote:**

**Aye:** Esparza, Chavez, Soria, Karbassi, Arias, Maxwell

**Status:** 6 – 0 – **Pass**

- 1-N ID 21-22872** Actions pertaining to housing stability service contracts through the Emergency Rental Assistance program:
1. Approve an agreement with Marjaree Mason Center for \$500,000 to provide housing stability services for victims of domestic violence.
  2. Approve an agreement with Breaking the Chains for \$250,000 to provide housing stability services for victims of human trafficking.

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

*Councilmember Maxwell asked the Administration who was reached out to receive the funds, how were the organizations determined, either by Request for Proposal (RFP) or Request for Quote (RFQ), and what discretion was used in the outreach. City Manager Esqueda responded.*

*Councilmember Arias asked if the providers planned on reaching out to the encampments and offer housing to those experiencing domestic violence or will it be relied on Police Department referrals. He asked if County residents will be served under the agreement or will funding be provided by the County of Fresno.*

*APPROVED*

**On motion of Councilmember Maxwell, seconded by Councilmember Karbassi, the above item be Approved. The motion carried by the following vote:**

**Aye:** Esparza, Chavez, Soria, Karbassi, Arias, Maxwell

**Absent:** Bredefeld

**Status:** 6 – 0 – Pass

- 1-O ID 21-22683** Actions pertaining to the fixed license plate recognition equipment and software.
1. Adopt a finding of categorical exemption pursuant Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.
  2. Approve the first amendment to the consulting services agreement with Vigilant Solutions, LLC., to increase the original contract amount of \$217,341, by \$25,190, for a total amended contract amount of \$242,531, to complete the expanded scope of work.

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

*The item was introduced to Council by Director Clark, Planning and Development Department.*

*Councilmember Maxwell and Councilmember Arias requested there be an option to mail the ticket to the individual rather than having in person interaction.*

*APPROVED*

**On motion of Council Vice President Esparza, seconded by Councilmember Arias, the above item be Approved. The motion carried by the following vote:**

**Aye:** Esparza, Chavez, Karbassi, Arias, Maxwell

**Absent:** Soria, Bredefeld

**Status:** 5 – 0 – Pass

**1-P ID 21-22832** Approve a First Amendment to the HOME Investment Partnerships Program Agreement between the City and Better Opportunity Builders for the acquisition and substantial rehabilitation of the Brierwood Court authorizing the City to subordinate its \$900,000 HOME loan to the new senior lender and to clarify the affordability restrictions encumbering Brierwood Court

**1-Q ID 21-22871 (CONTINUED TO JULY 29, 2021)**  
\*\*\*RESOLUTION – Adopting submission of Substantial Amendment 2020-01 to the Fiscal Year (FY) 2020-2021 Annual Action Plan and authorizing submission to the U.S. Department of Housing and Urban Development (HUD) to reprogram \$1,649,409.94 in Community Development Block Grant (CDBG) funds from prior year CDBG project savings and program \$1,159,704.42 in program income from the HOME Investment Partnership Program (HOME) (Subject to Mayor’s Veto)

*The above item was continued to July 29, 2021*

**1-R ID 21-22924** Actions pertaining to the City of Fresno Local Housing Trust Fund:  
1. \*\*\*RESOLUTION - Establishing the City of Fresno Local Housing Trust Fund (Subject to Mayor’s veto)  
2. \*\*\*RESOLUTION - Authorizing and directing submission of an application for funding under the State of California Local Housing Trust Fund Grant program to provide matching funds to the City of Fresno Local Housing Trust Fund (Subject to Mayor’s veto)

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

*The item was introduced to Council by Director Clark, Planning and Development.*

*Council Vice President Esparza asked the Administration and Counsel that in terms of utilizing the \$3 Million in General Funds that the agreement remains separate from the other housing plans that were allocated.*

**CONTINUED TO JULY 29, 2021 AS DIRECTED**

**On motion of Councilmember Arias, seconded by Council Vice President Esparza, the above item be continued to July 29, 2021 and direct staff to identify additional projects that would maximize the State match and incorporate the feedback on other eligible criteria that can be put into the program and identify additional money to use this match. The motion carried by the following vote:**

**Aye:** Esparza, Chavez, Arias, Maxwell

**Absent:** Soria, Karbassi

**Status:** 4 – 0 – **Pass**

- 1-S ID 21-22776** Approve a Contract Change Order Number 1 to Durham Construction Inc., of Clovis, California in the amount of \$536,825 for additional work at the Travel Inn Motel Rehabilitation for Homeless Relocation Project (Council District 3)

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

*The item was introduced to Council by Councilmember Arias, District 3 and Director Spees, Homeless Services Department.*

*Councilmember Arias asked the staff for an update on the security plan for the corridor and if the safety of the area has improved and if they are on schedule to be paid for by the federal state resources dedicated to housing the homeless.*

**APPROVED**

**On motion of Councilmember Arias, seconded by Councilmember Maxwell, the above item be Approved. The motion carried by the following vote:**

**Aye:** Esparza, Chavez, Karbassi, Arias, Maxwell

**Absent:** Soria, Bredefeld

**Status:** 5 – 0 – **Pass**

- 1-T ID 21-22860** RESOLUTION - Of Intention to Annex Final Tract Map No. 6271 as Annexation No. 124 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, August 19, 2021, at 10:00 am (Phase 3 of Vesting Tentative Tract Map No. 6258, area on the west side of North Hayes Avenue, north of West Ashlan Avenue) (Council District 1)

**RESOLUTION 2021-187 ADOPTED**

- 1-U ID 21-22877** RESOLUTION - Of Intention to Annex Final Tract Map No. 6159 as Annexation No. 113 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, August 19, 2021, at 10:00 am (east side of North Fowler Avenue and along the south side of Fancher Creek) (Council District 5)

*RESOLUTION 2021-188 ADOPTED*

**1-V ID 21-22972** RESOLUTION - In Support of Northwest Fresno's Sierra Sky Park

*The above item was removed from the agenda by Councilmember Karbassi*

**1-W ID 21-22917** BILL - (For Introduction) - Modifying Sections 1901 and 1905 of Chapter 14 of the Fresno Municipal Code relating to taxiing aircraft and parking of aircraft and other vehicles on public streets in Sierra Sky Park (District 2)

*The above item was removed from the agenda and continued to July 29, 2021*

**1-X ID 21-22953** Actions pertaining to Resolution of Intention No. 1142-D to vacate a portion of West Spaatz Avenue and North Doolittle Drive between North Blythe Avenue and West Herndon Avenue (Council District 2)

1. Adopt a finding of Negative Declaration per staff determination, pursuant to Public Resources Code § 21157.1 and California Environmental Quality Act (CEQA) Guidelines §15177, Master Environmental Impact Report (SCH # 2012111015)

2. RESOLUTION - Adopt Resolution of Intention No. 1142-D to vacate a portion of West Spaatz Avenue and North Doolittle Drive between North Blythe Avenue and West Herndon Avenue

*The above item was removed from the agenda and continued to July 29, 2021*

**1-Y ID 21-22975** Approve an agreement with Wallace, Roberts and Todd, Inc., in the amount of \$552,090 with a \$50,000 contingency for Planning Services related to Measure P Implementation, including an update of the Parks Master Plan.

*The above item was removed from the agenda and continued to July 29, 2021*

**1-Z ID 21-23007 \*\*\***RESOLUTION – To allow children to swim free at City pools (Subject to Mayor's veto)

*RESOLUTION 2021-189 ADOPTED*

**CONTESTED CONSENT CALENDAR**

**2. SCHEDULED COUNCIL HEARINGS AND MATTERS**

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

**ID 21-22859** HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 9, Annexation No. 52 (the territory known as Assessor's Parcel

Number 505-281-18) (northeast corner of North Grantland and West Barstow Avenues) (Council District 2)

1. \*\*\*RESOLUTION – to Annex Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax for Annexation No. 52 (Subject to Mayor’s Veto)
2. \*\*\*RESOLUTION - Calling Special Mailed-Ballot Election (Subject to Mayor’s Veto)
3. \*\*\*RESOLUTION - Declaring Election Results (Subject to Mayor’s Veto)
4. \*\*\*BILL – (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2020-2021 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 52 (Subject to Mayor’s Veto)

*The item was called to order at 11:35 A.M. There was no introduction to Council, no public comment, and no Council discussion.*

*RESOLUTION 2021-190 ADOPTED*

*RESOLUTION 2021-191 ADOPTED*

*RESOLUTION 2021-192 ADOPTED*

*BILL 33/ORDINANCE 2021-034 ADOPTED*

**On motion of Councilmember Karbassi, seconded by Council Vice President Esparza, the above item be Adopted. The motion carried by the following vote:**

**Aye:** Esparza, Chavez, Karbassi, Arias, Maxwell

**Absent:** Soria, Bredefeld

**Status:** 5 – 0 – Pass

**2-B      10:00 A.M. #2**

**ID 21-22875** HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 11, Annexation No. 96 (Final Tract Map No. 6281) (area northwest of the intersection, fronting the north side of East Clinton & the west side of North Temperance Avenues) (Council District 4)

1. \*\*\*RESOLUTION – to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 96 (Subject to Mayor’s Veto)
2. \*\*\*RESOLUTION - Calling Special Mailed-Ballot Election (Subject to Mayor’s Veto)
3. \*\*\*RESOLUTION - Declaring Election Results (Subject to Mayor’s Veto)
4. \*\*\*BILL – (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2020-2021 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 96 (Subject to Mayor’s

Veto)

*The item was called to order at 11:35 A.M. There was no introduction to Council, no public comment, and no Council discussion.*

*RESOLUTION 2021-193 ADOPTED*

*RESOLUTION 2021-194 ADOPTED*

*RESOLUTION 2021-195 ADOPTED*

*BILL 34/ORDINANCE 2021-035 ADOPTED*

**On motion of Councilmember Maxwell, seconded by Council Vice President Esparza, the above item be Adopted. The motion carried by the following vote:**

**Aye:** Esparza, Chavez, Karbassi, Arias, Maxwell

**Absent:** Soria, Bredefeld

**Status:** 5 – 0 – **Pass**

**2-C**     **10:00 A.M. #3**

**ID 21-22667** HEARING to consider the Club One Card Room Application.

*The item was called to order at 11:36 A.M. and introduced to Council by Assistant City Manager Barfield, Office of the Mayor and City Manager's Office and Club One President Kiel Kirkland.*

*City Attorney Sloan addressed the conversations that occurred with Councilmembers prior to the hearing. He stated that a quasi judicial hearing does not allow for conversations to happen between Councilmembers and the Applicant before the hearing. However, the applicant acknowledged and disclosed that there was a meeting into the record. Additionally, there will be no action taken and the item will be continued to the next Council meeting to be voted on.*

*Upon call, there was no public comment.*

**2-D**     **10:05 A.M.**

**ID 21-22925** Actions pertaining to the adoption of the 2020 Urban Water Management Plan, 2020 Water Shortage Contingency Plan, and Addendum to the 2015 Urban Water Management Plan (Citywide):

1. HEARING to discuss and consider the adoption of the adoption of the 2020 Urban Water Management Plan, 2020 Water Shortage Contingency Plan, and Appendix L – Addendum to the City of Fresno's 2015 Urban Water Management

Plan

2. Adopt a finding of statutory exemption pursuant to Section 15282(v) of the California Environmental Quality Act (CEQA) Guidelines and Section 10652 of the California Water Code for the adoption of the 2020 Urban Water Management Plan, the 2020 Water Shortage Contingency Plan, and Appendix L - Addendum to the City of Fresno's 2015 Urban Water Management Plan

3. \*\*\*RESOLUTION – Adopting 2020 Urban Water Management Plan (Subject to Mayor's veto)

4. \*\*\*RESOLUTION – Adopting 2020 Water Shortage Contingency Plan and authorizing the City Manager to declare the appropriate water conservation stages and implement the associated shortage response actions (Subject to Mayor's veto)

5. \*\*\*RESOLUTION – Adopting Appendix L – Addendum to the City of Fresno's 2015 Urban Water Management Plan (Subject to Mayor's veto)

*The above item was called to order at 11:50 A.M. and introduced to Council by Professional Engineer Maraccini, Department of Public Utilities.*

*Upon call, the following member of the public addressed Council: Eric Payne.*

*Councilmember Arias requested that prior to expanding recycled water to additional parks that Administration first showcase the recycled water at City Hall, and use the green lawn in the front of City Hall to demonstrate to the public that it is safe and reliable before putting into the neighborhoods.*

*Councilmember Arias requested a tray memo on improvements on the parks facilities and hydration stations.*

**RESOLUTION 2021-196 ADOPTED**

**RESOLUTION 2021-197 ADOPTED**

**RESOLUTION 2021-198 ADOPTED**

**On motion of Councilmember Arias, seconded by Councilmember Maxwell, the above item be Adopted. The motion carried by the following vote:**

**Aye:** Esparza, Chavez, Karbassi, Arias, Maxwell

**Absent:** Soria, Bredefeld

**Status:** 5 – 0 – Pass

*City Council recessed for lunch at 12:26 P.M. and returned from lunch at 1:32 P.M.*



**2-E**      **6:15 P.M.**

**ID 21-22962** Public Hearing to Receive Input from the Community Regarding the Redrawing of Election District Boundaries (Third Update)

*The item was called to order at 6:17 P.M. and was introduced to Council by Councilmember Arias, District 3 and Senior Consultant Jeff Tilton with National Demographics Corporation (NDC)*

*Upon call, the following members addressed Council: Eric Payne and Marianne Kast.*

*PUBLIC HEARING HELD AND CONTINUED*

**3.**            **GENERAL ADMINISTRATION**

**4.**            **CITY COUNCIL**

**5.**            **CLOSED SESSION**

**City Council recessed into Closed Session at 11:38 A.M. and returned from Closed Session at 12:05 P.M. There were no announcements made after Closed Session and the below items were discussed.**

**5-A**        **ID 21-22796** CONFERENCE WITH LEGAL COUNSEL-DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.9(d)(4) Action for declaratory relief: City of Fresno v. Friant Water Authority

**5-B**        **ID 21-22800** CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Government Code Section 54956.9, subdivision (d)(1) City of Fresno v. Shell Oil Company, et al. (Public Utilities Department) San Bernardino County Superior Court Case No.: SCVSS120627

**5-C**        **ID 21-22874** CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.9, subdivision (d) (4): City of Fresno v. Lyles Construction

*Assistant City Attorney Doerr made the following announcement after Closed Session: City Council has authorized filing a worker's comp segregation action against Lyles Consturction*

**5-D**        **ID 21-22921** CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Government Code Section 54956.8  
Property: 2004 N. Van Ness Blvd, APN 444-15-328s  
Negotiating Parties: City Manager

Under Negotiation: Terms and Conditions of Property Acquisition

**5-E ID 21-22969** CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Government Code Section 54956.9, subdivision (d)(1) City of Fresno v. Donald Crasnick, et al. (Public Works Department) Fresno County Superior Court Case No.: 17CECG02352

**5-F ID 21-22971** 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); 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, Budget Analyst, Budget Manager, Chief Assistant City Attorney, Chief Information Officer, Chief of Staff to Councilmember, Chief of Staff to the Mayor, City Attorney (City Negotiator, Council President Chavez), City Attorney Investigator, City Clerk (City Negotiator, Council President Chavez), 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, Labor Relations Manager, Management Analyst II, Payroll Accountant, Payroll Manager, Police Chief, Principal Budget Analyst, Principal Internal Auditor, 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

**5-G ID 21-22963** CONFERENCE WITH LEGAL COUNSEL-POTENTIAL LITIGATION  
- Government Code Section 54956.9, subdivision (d)(2): Yvonne Spence v. City  
of Fresno Sponsor: City Attorney's Office

**5-H ID 21-22682-02** PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Government Code Section 54957(b): Consider the appointment, employment,  
evaluation of performance, discipline, or dismissal of a public employee.

Title: City Clerk

Government Code Section 54957.6: Conference with Labor Negotiator City  
Negotiator: Council President Luis Chavez Unrepresented Employee: City Clerk

### **ADJOURNMENT**

*City Council adjourned at 6:42 P.M. in memory of Mo Bagunu and John Horstmann Sr.*