

Regular Council Meeting
December 15, 2022

FRESNO CITY COUNCIL



Supplement Packet

ITEM(S)

1-A (22-1864)

Approval of the minutes for December 1, 2022, Regular Meeting and December 9, 2022, Special Meeting.

Contents of Supplement:

Draft Minutes of December 1, 2022, Regular Meeting

Item(s)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.



City of Fresno

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

Meeting Minutes 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

Thursday, December 1, 2022

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.

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 Rev. Mike Chastain, Pastor with New Covenant Community Church, Fresno

Pledge of Allegiance to the Flag

APPROVE AGENDA

City Clerk Stermer announced the following changes to the agenda:

Councilmember Chavez had requested the meeting be adjourned in the memory of Pastor Paul McCoy.

Councilmember Bredefeld and Councilmember Karbassi each registered a

"no" vote on Consent Calendar item 1-I (ID 22-1811) regarding compensation and benefits for city employees and charter officials.

President Esparza announced conflict and recused himself from Closed Session item 5-D (ID 22-1810) regarding Nelson Esparza v. City of Fresno and People v. Nelson Esparza.

Consent Calendar item 1-C (ID 22-1657), regarding Airport Improvement Program grants, only requires a simple majority vote to pass, not five votes as listed on the agenda.

Consent Calendar item 1-J (ID 22-1803), regarding the Justice Assistance Grant - part one of this item which authorizes the PARCS Director or designee to accept the funding, is subject to mayoral veto.

Consent Calendar item 1-BB (ID 22-1812) regarding the at will employment agreement of the City Attorney has been amended to include the following: [e]mployee agrees not to participate as an officer, board member, or in any other capacity in any political action committee.

Consent Calendar 1-G (ID 22-1805), regarding the Staffing for Adequate Fire and Emergency Response (SAFER) grant, was moved to the December 15, 2022, agenda by staff.

10:10 A.M. #4 Scheduled Matter (ID 22-1840), regarding an update on the State Center Community College District Projects, was moved to the December 15, 2022 agenda by Councilmember Arias.

Consent Calendar item 1-E (ID 22-1817), regarding the sixth amendment to the FY 2023 Salary Resolution, was removed from the agenda with no specified return date by Councilmember Arias.

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

1-J (ID 22-1803) regarding the Justice Assistance Grant - moved to Contested Consent by Councilmember Bredefeld.

1-K (ID 22-1807) regarding a memorandum of understanding with the American Red Cross - moved to Contested Consent by Councilmember

Arias.

1-N (ID 22-1797) regarding the 16th amendment to the Annual Appropriation Resolution - moved to Contested Consent by Councilmember Arias.

1-P (ID 22-1802) regarding a contract with the Fresno Police Chaplaincy - moved to Contested Consent by Councilmember Arias.

1-BB (ID 22-1812) regarding the at will employment agreement of the City Attorney - moved to Contested Consent by Councilmember Bredefeld.

On motion of Councilmember Arias, seconded by Councilmember Soria, 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 22-1188](#) Proclamation for "Dr. Lori Bennett, President of Clovis Community College"

PRESENTED

[ID 22-1762](#) Proclamation for "Trans Day of Remembrance"

PRESENTED

Councilmember Soria was recognized for her eight years of service to the City with a surprise proclamation.

COUNCILMEMBER REPORTS AND COMMENTS

Councilmember Soria Reports and Comments. Councilmember Soria submitted a resignation letter to the Council President and City Clerk, effective December 5, 2022, at 11:59 A.M. in order to assume the 27th Assembly District seat for the State of California.

Councilmember Karbassi Reports and Comments. The partners that made District 2's second annual Operation Gobble a success by providing Thanksgiving dinners to 400 families were recognized. Districts 2 and 4 sponsored "World Day of Remembrance" on November 20 to remember the victims of traffic accidents. Northwest Fresno continues to develop with the opening of a Chipotle, a drive-thru Chipotle Mexican Grill, at Brawley and Herndon avenues. Rina Gonzales was recognized for the excellent service

she provided District 2 and the City of Fresno as interim City Attorney.

Councilmember Arias Reports and Comments. Rina Gonzales was recognized and thanked for her amazing service to the City of Fresno as the interim City Attorney.

Councilmember Bredefeld Reports and Comments. Public Work staff, "Josh and Stuart," were recognized for going above and beyond by answering the questions and interacting with a five year old District 6 resident curious about the concrete work they were performing.

Vice President Maxwell Reports and Comments. The second annual District 4 Toy Drive was scheduled for December 8 at Yosemite Falls Cafe. Food and drinks would be provided and the cost of admission was a new unwrapped toy.

Council President Esparza Reports and Comments. A ribbon cutting ceremony was recently held for the new parking structure at Fresno City College.

MAYOR/MANAGER REPORTS AND COMMENTS

City Manager White Reports and Comments. Councilmember Soria was recognized for her years of services and dedication to the residents of District 1. Rina Gonzales was thanked for her service as interim City Attorney during a busy period of time for the City. The Monarch building in Chinatown recently received a "safe to occupy" certification. The warming centers at Maxi L. Parks, Mosqueda, Pinedale and Ted C. Wills community centers would be open from 7:00 P.M. until 7:00 A.M. tomorrow as temperatures were expected to be below 35 degrees Fahrenheit. Busses would provide free transportation to the centers. Notice of the warming center openings was issued the previous day.

UNSCHEDULED COMMUNICATION

Upon call for unscheduled communication and public comment on consent calendar, contested consent calendar and closed session items, the following members of the public addressed Council: Steve Diddy (1-F), Fernando Paul Elizando Sr., Lisa Flores (1-I), Eric Payne (10:10 A.M. #3), Robert McCloskey (1-K), Dez Martinez (1-K), Cynthia Piombino (1-K, 10:05 A.M.#2), Samuel Molina (10:10 A.M.#3), Karla Martinez (1-M), Brandi Nuse-Villegas (1-M, 1-K), Lynisha Senegal (1-C, 10:10 A.M.#3), D'Aungillique Jackson (10:10 A.M.#3, 1-M) and Kevin Williams (10:10

A.M.#3).

1. CONSENT CALENDAR

APPROVAL OF THE CONSENT CALENDAR

On motion of Councilmember Chavez, seconded by Council President Esparza, the CONSENT CALENDAR was hereby adopted by the following vote:

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

Absent: 1 - Soria

- 1.-A.** [ID 22-1801](#) Approval of the minutes for November 15, 2022, Special Meeting, November 17, 2022, Regular Meeting, and November 17, 2022, Special Meeting.

APPROVED ON CONSENT CALENDAR

- 1.-B.** [ID 22-1804](#) Approval of City Council Meeting Schedule for Calendar Year 2023.

APPROVED ON CONSENT CALENDAR

- 1.-C.** [ID 22-1657](#) ***RESOLUTION - Authorizing the Director of Aviation or other authorized representative to: execute all implicated documentation for pre-application and application to the Federal Aviation Administration (FAA) for Airport Improvement Program (AIP) grants for federal fiscal years 2023 and 2024 for both Fresno Yosemite International Airport (FAT) and Fresno Chandler Executive Airport (FCH), accept FAA AIP grant(s) for FY 2023 and FY 2024 projects at both airports including all subsequent amendments thereto offered by the FAA; and apply for and accept grants and all subsequent amendments thereto offered by the California Department of Transportation Aeronautics Division for matching funds for FY 2023 and 2024 FAA grants for the Fresno Chandler Executive Airport. (Requires 5 votes) (Subject to Mayor's Veto)

RESOLUTION 2022-266 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-D.** [ID 22-1818](#) RESOLUTION - Declaring its official intent to use proceeds of indebtedness to reimburse the City for certain expenditures related to the Terminal Expansion Project at Fresno Yosemite International Airport (Requires 5 votes).

RESOLUTION 2022-267 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-E. [ID 22-1817](#) 1. ***RESOLUTION: Adopt the Sixth Amendment to FY 2023 Salary Resolution No. 2022-152, amending Exhibit 2, Unit 2 - Non-Represented Management and Confidential Classes, to create the new classification of Senior City Attorney Investigator (Subject to Mayor's Veto)

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

TABLED

- 1.-F. [ID 22-1829](#) Approve the reappointments of Gerald Lee to the Fresno/Clovis Community Media Authority, and Michael McDonald to the Civil Service Board. Approve the appointments of Julie Federico and Elizabeth Laval to the Historic Preservation Commission, and Ruth F. Quinto, CPA to the City of Fresno Employees Retirement Board

APPROVED ON CONSENT CALENDAR

- 1.-G. [ID 22-1805](#) ***RESOLUTION - Authorize the acceptance of 2021 Staffing for Adequate Fire and Emergency Response (SAFER) grant award for \$7,246,600 from the Federal Emergency Management Agency (FEMA) and authorize the Fire Chief to complete all required documents (Subject to Mayor's Veto)

The above item was tabled to December 15, 2022, by staff.

TABLED

- 1.-H. [ID 22-1716](#) Award a construction contract with Bush Engineering Incorporated, of Fresno, California, in the amount of \$811,122 for the construction of a new park at North Van Ness Boulevard and East Weldon Avenue and authorize the Director of General Services or designee to sign and execute related documents (Bid File 12300704) (District 1)

APPROVED ON CONSENT CALENDAR

- 1.-I. [ID 22-1811](#) Actions pertaining to adopting the ordinances related to compensation and benefits for city employees and charter officials
1. ***Bill B-38 (Intro'd 11/17/2022) (For Adoption) -Amending Ordinance No. 2022-22 of the Fresno Municipal Code and Adopting an Ordinance Setting Forth the Compensation of Elective Officers (Subject to Mayor's Veto)
 2. ***Bill B-39 (Intro'd 11/17/2022) (For Adoption) -Amending Ordinance No. 2017-10 of the Fresno Municipal Code and Adopting an Ordinance Related to Reimbursement of Expenses for Elected Officials (Subject to Mayor's Veto)

Councilmember Karbassi and Councilmember Bredefeld each registered a "no" vote on the above item. As such, this item was APPROVED 4-2 by the following vote:

Aye (4): Arias, Chavez, Maxwell, Esparza

No (2): Karbassi, Bredefeld

Absent (1): Soria

ORDINANCE 2022-040 ADOPTED

ORDINANCE 2022-041 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-L. [ID 22-1752](#) Approve the Fifth Amendment to the consultant services agreement with Rami + Associates, Inc., extending the contract performance period to June 30, 2023. No additional funding is requested.

APPROVED ON CONSENT CALENDAR

- 1.-M. [ID 22-1799](#) ***RESOLUTION - Adopting the 14th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 appropriating \$3,500,000 in the City of Fresno Local Housing Trust Fund (requires 5 Affirmative Votes) (Subject to Mayor's Veto)

RESOLUTION 2022-270 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-O. [ID 22-1744](#) Approve the award of a cooperative purchase agreement to Lehr Auto of Sacramento, California for the purchase of 24 Panasonic CF-33 Toughbook laptops in the amount of \$161,900 to replace aging, out of date computers in Police vehicles.

APPROVED ON CONSENT CALENDAR

- 1.-Q. [ID 22-1730](#) Approve an agreement for Professional Engineering Services with Mark Thomas & Company, Inc. for \$455,407.11, with a \$45,000 contingency, for design and construction support services for the Midtown Trail Segment 1 (Phase II) Project (Council District 7)

APPROVED ON CONSENT CALENDAR

- 1.-R. [ID 22-1770](#) Annual Review and Acceptance of the FY 2022 Impact Fee Annual Report as Required by California Government Code

APPROVED ON CONSENT CALENDAR

- 1.-S. [ID 22-1771](#) Approve a substitution of a listed Subcontractor DeAnda Company, for Prefabricated Restroom at Hinton Park. (Council District 3)

APPROVED ON CONSENT CALENDAR

- 1.-T. [ID 22-1780](#) Actions pertaining to the Capital Improvement Projects within the City of

Fresno street right of way (All Council Districts)

1. Approve agreement in the amount of \$958,000 with RMA GeoScience for materials testing and acceptance services
2. Approve agreement in the amount of \$958,000 with Salem Engineering Group Inc. for materials testing and acceptance services
3. Approve agreement in the amount of \$958,000 with Krazan & Associates, Inc. for materials testing and acceptance services
4. Approve agreement in the amount of \$117,000 with Moore Twining & Associates, Inc. for independent assurance testing
5. Authorize the Public Works Director or designee to execute the agreements on behalf of the City

APPROVED ON CONSENT CALENDAR

- 1.-U. [ID 22-1773](#) Actions pertaining to Final Map of Tract No. 6201

RESOLUTION - Approving the Final Map of Tract No. 6201, and accepting dedicated public uses offered therein except for dedications offered subject to City acceptance of developer installed required improvements - located on the northeast corner of North Armstrong Avenue and East Floradora Avenue (Council District 7)

RESOLUTION 2022-271 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-V. [ID 22-1791](#)

Approve a Cost Share Agreement with the Fresno Irrigation District, the City of Clovis, and the County of Fresno, for Consultant Services Related to Legislative Support for Big Dry Creek Reservoir Operational Changes in the amount of \$15,000 for the time period from January 1, 2022, to December 31, 2022, with three optional one-year extensions in the amount of \$15,000 per year, for a total of \$60,000.

APPROVED ON CONSENT CALENDAR

- 1.-W. [ID 22-1772](#) Designate alternates to serve as the City of Fresno's representative on the Board of Directors of the Upper Kings Basin Integrated Regional Water Management Joint Powers Authority (Citywide)

APPROVED ON CONSENT CALENDAR

- 1.-X. [ID 22-1837](#) Actions pertaining to an Extraterritorial Service and Offsite Infrastructure Agreement with State Center Community College District for the First Responders Campus Project (County):
1. Resolution - Adopting findings pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15091 and 15093 as required for Responsible Agencies by CEQA Guidelines Section 15096 for the First Responders Campus

Project

2. Approve an Extraterritorial Service and Offsite Infrastructure Agreement with State Center Community College District to provide for connections to the City of Fresno's municipal water and sewer systems

As confirmed by interim Chief Assistant City Attorney Badhesha, Councilmember Soria and President Esparza each announced their past interactions with the State Center Community College District did not create a conflict on the above item.

RESOLUTION 2022-272 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-Y. [ID 22-1813](#) Approve the Title VI Fare Equity Analysis for the Department of Transportation/Fresno Area Express (FAX) for reduced student fares.

APPROVED ON CONSENT CALENDAR

- 1.-Z. [ID 22-1814](#) ***RESOLUTION - Adopting the 574th Amendment to the Master Fee Schedule Resolution No. 80-420 to Add and Adjust Various Fees in the Transportation/FAX Department. (Subject to Mayor's Veto)

RESOLUTION 2022-273 ADOPTED

APPROVED ON CONSENT CALENDAR

- 1.-AA. [ID 22-1701](#) Authorize the Department of Transportation Director or their Designee to execute revenue agreements with the State Community Center College District and California State University, Fresno, subsidizing transit fares on Fresno Area Express buses

As confirmed by interim Chief Assistant City Attorney Badhesha, Councilmember Soria and President Esparza each announced their past interactions with the State Center Community College District did not create a conflict on the above item.

APPROVED

APPROVED ON CONSENT CALENDAR

CONTESTED CONSENT CALENDAR

- 1.-J. [ID 22-1803](#) Actions Pertaining to the Bureau of Justice Assistance Grant:
1. Authorize the PARCS Director or Designee to Accept \$300,000 in Federal Grant Funding from the Byrne Community Project/ Byrne Discretionary Grants Program and Enter into Grant **R e l a t e d** Agreements Subject to Review as to Form by the City Attorney

(Citywide).

2. ***RESOLUTION - Adopting the 15th Amendment to the Annual Appropriation Resolution No. 2022-154 to Appropriate \$100,000 From the Bureau of Justice Assistance U.S. Department of Justice. (Requires five affirmative votes) (Subject to Mayor's Veto)

Councilmember Bredefeld moved this item to the Contested Consent Calendar to verify that mental health services would be provided by licensed mental health professionals and that stipends were not a part of the Advance Peace program.

RESOLUTION 2022-168 ADOPTED

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

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

Absent: 1 - Soria

- 1.-K. [ID 22-1807](#) RESOLUTION - Authorizing City Manager or Designee to Enter into a Memorandum of Understanding (MOU) with the American Red Cross (Red Cross) and any related Facility Use Agreements for Emergency Readiness and Response Activities Including Warming Center Operations (Citywide)

Councilmember Arias moved this item to the Contested Consent Calendar to determine if this item also applied to cooling centers and how the program would change with American Red Cross involvement.

RESOLUTION 2022-269 ADOPTED

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

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

Absent: 1 - Soria

- 1.-N. [ID 22-1797](#) ***RESOLUTION - Adopting the 16th Amendment to the Annual Appropriation Resolution (AAR) No. 2022-154 appropriating \$59,946,400 for Homekey Program related activities (requires 5 Affirmative Votes) (Subject to Mayor's Veto)

Councilmember Arias moved this item to the Contested Consent Calendar to propose tabling it to allow for a sub-committee briefing from staff.

TABLED TO DECEMBER 15, 2022

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

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

Absent: 1 - Soria

- 1.-P. [ID 22-1802](#)** Authorize the Chief of Police to enter into a three-year contract with two one-year extensions with The Fresno Police Chaplaincy to provide chaplain services to the Fresno Police Department in an amount not to exceed \$75,000 each year (\$375,000 over five years).

Councilmember Arias moved this item to the Contested Consent Calendar to ask about the non-profit status of the Fresno Police Chaplaincy as a separate entity from the City of Fresno.

APPROVED

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

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

Absent: 1 - Soria

- 1.-BB. [ID 22-1812](#)** Approve At-Will Employment Agreement of City Attorney

Councilmember Bredefeld moved this item to the Contested Consent Calendar to ensure additional language regarding political action committees had been included in the agreement and to ask Mr. Janz how he had been preparing for work in a municipal setting.

As read into the record during approval of the agenda, the employment agreement was updated to include the following term: [e]mployee agrees not to participate as an officer, board member, or in any other capacity in any political action committee.

APPROVED AS UPDATED

On motion of Councilmember Bredefeld, seconded by Council President Esparza, that the above Action Item be APPROVED AS UPDATED. The motion carried by the following vote:

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

2. SCHEDULED COUNCIL HEARINGS AND MATTERS

10:00 A.M. #1

[ID 22-1776](#) 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. 134 (Final Tract Map No. 6325) (Northwest corner of East Clinton Avenue and North Armstrong Avenue) (Council District 7)

1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 134 (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 2022-2023 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 134 (Subject to Mayor's Veto)

The above hearing was called to order at 11:04 A.M. Upon call, there was no public comment for this item. The public comment period was closed at 11:05 A.M. There was no Council discussion.

RESOLUTION 2022-274 ADOPTED

RESOLUTION 2022-275 ADOPTED

RESOLUTION 2022-276 ADOPTED

BILL B-42 INTRODUCED / ADOPTED AS ORDINANCE 2022-042

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

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

10:00 A.M. #2

[ID 22-1768](#) HEARING to consider the vacation of a portion of the southeasterly side of North State Street between West Mission Avenue and Golden State Boulevard (Council District 1)

1. ***RESOLUTION - Ordering the vacation of a portion of the

southeasterly side of North State Street between West Mission Avenue and Golden State Boulevard (Subject to Mayor's Veto)

The above hearing was called to order at 11:05 A.M. Upon call, there was no public comment for this item. The public comment period was closed at 11:06 A.M. There was no Council discussion.

RESOLUTION 2022-277 ADOPTED

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

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

10:05 A.M. #1

ID 22-1769 HEARING to consider the vacation of a portion of the North Glenn Avenue-North Blackstone Avenue Alley, between East Simpson Avenue and East Cornell Avenue (Council District 7):

1. ***RESOLUTION - Ordering the vacation of a portion of the North Glenn Avenue-North Blackstone Avenue Alley, between East Simpson Avenue and East Cornell Avenue (Subject to Mayor's Veto)

The above hearing was called to order at 11:07 A.M. Upon call, there was no public comment for this item. The public comment period was closed at 11:08 A.M. There was no Council discussion.

RESOLUTION 2022-278 ADOPTED

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

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

10:05 A.M. #2

ID 22-1759 HEARING to obtain public comments regarding community needs for consideration in the development of the 2023-2024 Annual Action Plan for federal funding through the U.S. Department of Housing and Urban Development's Office of Community Planning and Development (HUD CPD).

The above hearing was called to order at 11:08 A.M.

Upon call, the following people addressed spoke on this item: Cindy Piombino, Robert McCLooskey, Brandi Nuse-Villegas and Dez Martinez.

The public comment period was closed at 11:19 A.M.

HEARING HELD

10:10 A.M. #1

[ID 22-1800](#) Appearance by Mary Padilla to discuss Renewing Values and Morals.
(Speaker Resides in District 2)

The speaker was not present upon call at 10:54 A.M.

DID NOT APPEAR

10:10 A.M. #2

- [ID 22-1790](#) HEARING to adopt resolutions and ordinance to establish a Community Facilities District (Community Facilities District No. 18 - Public Safety Services), future annexation area, and Authorizing the Levy of a Special Tax (T6234, southwest corner of Dakota and Hayes Avenues; T6310, near the northwest corner of Dakota and Polk Avenues; future annexation area encompasses entire City of Fresno) (new Citywide district; projects located in District 1)
1. ***RESOLUTION - to Establish a Community Facilities District (Community Facilities District No. 18 - Public Safety Services), future annexation area and Authorizing the Levy of a Special Tax (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 2022-2023 and Future Tax Years Within and Relating to Community Facilities District No. 18 (Subject to Mayor's Veto)

The above hearing was called to order at 11:19 A.M. Upon call, there was no public comment for this item. The public comment period was closed at 11:19 A.M. There was no Council discussion.

RESOLUTION 2022-279 ADOPTED

RESOLUTION 2022-280 ADOPTED

RESOLUTION 2022-281 ADOPTED

BILL B-43 INTRODUCED / ADOPTED AS ORDINANCE 2022-043

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

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

10:10 A.M. #3

- [ID 22-1703](#) Presentation regarding "Community Choice Energy" by Destiny Rodriquez.

The above item was presented by Destiny Rodriguez, Program Consultant for the Climate Center.

Council discussion on this item included the criteria for potential committee members.

PRESENTED

10:10 A.M. #4

[ID 22-1840](#) Update on State Center Community College District Projects by Chancellor Dr. Carole Goldsmith

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

10:15 A.M.

JOINT MEETING WITH THE FRESNO JOINT POWERS FINANCING AUTHORITY (JPFA). MEMBERS OF JPFA BOARD: MAYOR DYER, CHAIR BREDEFELD, COUNCILMEMBER KARBASSI

JPFA ACTION

- A. [ID 22-1783](#) HEARING to adopt Resolution designating and authorizing certain Finance Officers of the City of Fresno ("City") to take certain actions as required for prudent financial administration and safekeeping of Fresno Joint Powers Finance Authority ("JPFA") funds and property

The above item was discussed simultaneously with JPFA item B (ID 22-1784).

The hearing was called to order at 11:23 A.M. Upon call, there was no public comment. The public comment period was closed at 11:25 A.M.

There was no staff presentation and no discussion on this item.

RESOLUTION JPFA 54 ADOPTED

On motion of Member Dyer, seconded by Member Karbassi, the above JPFA action item was adopted. The motion PASSED by the following vote:

Aye (3): Bredefeld, Karbassi, Dyer

No (0): -

- B. [ID 22-1784](#) HEARING to adopt Resolution designating and authorizing certain Finance Officers of the City of Fresno to deposit and withdraw funds into

and out of the Local Agency Investment Fund ("LAIF") in the custody of the State Treasurer

The above item was discussed simultaneously with JPFA item A (ID 22-1783).

The hearing was called to order at 11:23 A.M. Upon call, there was no public comment. The public comment period was closed at 11:25 A.M.

There was no staff presentation and no discussion on this item.

RESOLUTION JPFA 55 ADOPTED

On motion of Member Dyer, seconded by Member Karbassi, the above JPFA action item was adopted. The motion PASSED by the following vote:

Aye (3): Bredefeld, Karbassi, Dyer

No (0): -

CITY ACTION

- C. [ID 22-1785](#) RESOLUTION - Authorizing certain Finance Officers of the City of Fresno ("City") to sign City checks and various investment and commercial banking documents, and to provide verbal instruction required for the prudent financial administration and safekeeping of City funds

The above item was heard simultaneously with City Action item D (ID 22-1786). There was no staff presentation and no Council discussion.

Upon call, there was no public comment.

RESOLUTION 2022-282 ADOPTED

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

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

Absent: 1 - Arias

- D. [ID 22-1786](#) RESOLUTION - Consenting to and authorizing investment of monies in the Local Agency Investment Fund ("LAIF") in the custody of the State Treasurer for purposes of investment, and authorizing certain Finance

Officers in connection therewith

The above item was heard simultaneously with City Action item C (ID 22-1785). There was no staff presentation and no Council discussion.

Upon call, there was no public comment.

RESOLUTION 2022-283 ADOPTED

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

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

Absent: 1 - Arias

3. GENERAL ADMINISTRATION

4. CITY COUNCIL

- 4.-A. [ID 22-1841](#)** ***RESOLUTION - Naming the Park Located at Dakota and Milburn Avenues "Dolores Huerta Park" (Subject to Mayor's Veto)

The above item was introduced to Council by Councilmember Soria.

Upon call, there was no public comment.

RESOLUTION 2022-284 ADOPTED

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

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

Absent: 1 - Bredefeld

Council recessed for lunch at 11:54 A.M. and resumed in closed session at 1:43 P.M.

5. CLOSED SESSION

In open session, interim City Attorney Gonzales listed the items that would be heard in closed session. President Esparza announced a conflict with item 5-D (ID 22-1810).

- 5.-A. [ID 22-1728](#)**

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Government Code Section 54956.9, subdivision (d)(2)

Case Name: *Graves Family Trust v. City of Fresno*

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

DISCUSSED

5.-B. [ID 22-1815](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)

Case Name: *Pismos of Fresno, LLC, et al. v. City of Fresno, et al.*
Fresno Superior Court Case No. 20CECG03646

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

DISCUSSED

5.-C. [ID 22-1816](#)

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Government Code Section 54956.9, subdivision (d)(1)
Gianna Provenzano v. City of Fresno, et al.
Fresno Superior Court Case No. 21CECG01263

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

DISCUSSED

5.-D. [ID 22-1810](#)

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

Nelson Esparza v. City of Fresno

CONFERENCE WITH LEGAL COUNSEL - EXISTING
LITIGATION, Government Code Section 54956.9, subdivision (d)
(1);

People v. Nelson Esparza (F22905037)

Sponsors: Special Counsel Meyers Nave

The above item was not discussed in closed session.

NOT DISCUSSED

ADJOURNMENT

*Council adjourned from closed session at 1:58 P.M. in memory of Pastor
Paul McCoy*