



City Council Agenda

Council President
Blong Xiong

Councilmembers

Brian Calhoun, Ph.D.
Mike Dages
Jerry Duncan

Henry T. Perea
Cynthia A. Sterling – Acting President
Larry Westerlund

City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch, CMC

City Attorney
James C. Sanchez

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, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650.

The City Council welcomes you to the Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno CA 93721.

April 1, 2008

8:30 A.M. ROLL CALL

Invocation by District 3

Pledge of Allegiance to the Flag

Ceremonial Presentation:

SPCA Pet of the Month – Council Member Duncan - **Presented**

Proclamation of "SAN JOAQUIN MEMORIAL SOCCER TEAM DAY" – Councilmember Perea – **Read and presented**

Presentation of Commendation to Information Services, General Services, and Police Departments for teamwork resulting in the renovation of the Fresno Police Department 911 Center and transition to the new Center – Mayor's Office, All Councilmembers, and City Manager's Office - **Commendation made**

The agenda and related staff reports are available on (www.fresno.gov) as well as in the Office of the City Clerk. The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. and re-played beginning at 8:00 p.m.

PROCESS: For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve minutes of March 25, 2008

Action Taken: Approved

Councilmember Reports and Comments

Action Taken: Made

Approve Agenda

Action Taken: Approved

Adopt Consent Calendar

Action Taken: Adopted

1. **CONSENT CALENDAR**

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 11:00 A.M.

- A. * [Authorization to execute Amendment No. 3 for \\$150,000 to the professional services agreement with Planning Resource Associates Corporation for services related to the processing of development projects- Planning and Development Department](#)
Action Taken: Authorized
- B. [Approve service contract and amendment to the Annual Appropriation Resolution to provide common user airline check-in equipment and a new flight information display system at FYI- Airports Department](#)
Action Taken: Approved
1. * **RESOLUTION** – 78th amendment to AAR No. 2007-214 to appropriate \$1,024,400 of one-time costs for the purpose of purchasing and installing Common Use Terminal Equipment (CUTE) hardware and software (*Requires 5 affirmative votes*)
Action Taken: Resolution No. 2008-65 adopted
- C. [RESOLUTION- Approving the reallocation of \\$60,000 out of contingency for preliminary engineering on the previously approved Herndon Canal Bankside Trail Capital Project – Public Works Department](#)
Action Taken: Resolution No. 2008-66 adopted
- D. * [Approve a construction contract with Mark Wilson Construction, Inc. in the amount of \\$716,196.00 for construction of the diesel exhaust systems for Fire Stations No. 1-10, 12 & 14 within The City of Fresno \(Bid File #2774-11205\) \(Fire Stations No. 9 & 12 are within District 1; Fire Stations No. 2 & 14 Are Within District 2; Fire Stations No. 3 & 7 Are Within District 3; Fire Stations No. 6 & 10 Are Within District 4; Fire Station No. 8 Is In District 5 and Fire Stations 1, 4 & 5 Are Within District 7\) - Public Works Department](#)
Action Taken: Approved
- E. * [Award a construction contract in the amount of \\$1,441,132 to Henderson Construction Company for Blackstone and Bullard intersection improvements \(Property located in Districts 2, 6 and 7\) - Public Works Department](#)
Action Taken: Awarded
1. * **RESOLUTION** – 79th amendment to AAR No. 2007-214 to appropriate \$568,500 for the completion of street improvements at Blackstone and Bullard (*Requires 5 affirmative votes*)
Action Taken: Resolution No. 2008-67 adopted

1. **CONSENT CALENDAR CONTINUED**

- F.* [Approve the Side Letters of Agreement between the City of Fresno \(City\) and International Union of Operating Engineers, Stationary Engineers, Local 39, Unit 01 – Personnel Services Department](#)
Action Taken: Approved

SCHEDULED COUNCIL HEARINGS AND MATTERS

9:00 A.M. A. **SCHEDULED COMMUNICATION:**

9:00 A.M. B. **UNSCHEDULED COMMUNICATION** – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda - Held

9:15 A.M. **CITY COUNCIL**

- A. Appearance by Barry Falke to update the Council on the activities and projects at Rotary Playland & Storyland- Councilmember Sterling – **Appearance made**
- B.* [BILL B-19– \(For adoption\)\(Intro 3/25/008\) - Adding Section 4-116 to the Fresno Municipal Code relating to installation of solar energy systems in construction of new City-owned buildings – Councilmember Dages](#)
Action Taken: Ordinance No. 2008- 23 adopted

9:30 A.M. **GENERAL ADMINISTRATION**

- A. * [RESOLUTION – Authorizing and approving the borrowing of funds for fiscal year 2008-2009; the issuance and sale of a 2008 tax revenue anticipation note therefore and participation in the California Communities Cash Flow Financing Program – Finance Department](#)
Action Taken: Resolution No. 2008-68 adopted
- B. * [RESOLUTION –464th Amendment to the Master Fee Schedule \(MFS\) Resolution No. 80-420](#) Addressing fee changes and annual routine department revisions
Action Taken: Discussed and continued two weeks

10:00 A.M. [HEARING - Consider adoption of a Resolution approving the formation of Underground Utility District No. FRE-91 \(Willow Avenue South of Nees Avenue across APN 404-481-18\) \(Property Located in District 6\) - Public Works Department](#)

- Action Taken:** Held
- a. **RESOLUTION** – Approving the formation of UUD No. FRE-91
Action Taken: Resolution No. 2008-69 adopted

10:15 A.M #1 [HEARING to consider Rezone Application No. R-08-04, and environmental findings, filed by the City of Fresno, pertaining to approximately 1.34 acres of property located on the west side of South Clovis Avenue between East Jensen and East Church Avenues \(2460 South Clovis Avenue\) \(Property located in District 5\) – Planning and Development Department](#)

- Action Taken:** Held
- a. Consider and adopt Environmental Assessment No. R-08-04 determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
Action Taken: Adopted
- b. **BILL** - Amending the Official Zone Map to rezone the subject property from the AE-20 (Exclusive Twenty Acre Agricultural, Fresno County) zone district to the R-1/UGM (Single Family Residential/Urban Growth Management) zone district
Action Taken: Bill No. B-24/Ordinance No. 2008- 24 adopted

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

10:15 A.M. #2 Consideration of proposed Jensen-Clovis No. 4 Reorganization: Resolution for approval to file with the Fresno Local Agency Formation Commission (LAFCO) for the detachment of certain territory consisting of approximately 36.7 acres from the Fresno County Fire Protection District and the Kings River Conservation District and annexation of the same territory to the City of Fresno (*Property located in District 5*)

Action Taken: Considered

a. Consider and adopt the environmental finding for Environmental Assessment No. R-08-04 dated February 15, 2008, that the project proposal conforms to the provisions of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 and the environmental findings of a Mitigated Negative Declaration for Environmental Assessment No. A-05-07/R-05-36 dated September 8, 2005, and Environmental Assessment No. A-04-37/R-04-112/ C-04-341 dated August 10, 2005

Action Taken: Adopted

b. **RESOLUTION-** Applying to the Fresno Local Agency Formation Commission

Action Taken: Resolution No. 2008-70 adopted

11:00 A.M. **CONTESTED CONSENT ITEMS (IF ANY)**

2:00 P.M. #1 **CLOSED SESSION**

A. **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION - Government Code Section 54956.9, Subdivision (B)**

Significant Exposure to Litigation

1. **Case Name:**
1. *City of Fresno v. WinAir - Held*
 2. *City of Fresno v. Leola M. Clark, dba Air Terminal Gift Shop*

Action Taken: Laid over to April 15, 2008

2:00 P.M. #2 **JOINT CLOSED SESSION WITH REDEVELOPMENT AGENCY**

A. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (A)**

Significant Exposure to Litigation

1. **Case Name:**
1. *Heritage Fresno, et al. v. Redevelopment Agency of the City of Fresno, et al.; Fresno County Superior Court Case No. 05CECG00012 ("Heritage II")*

Action Taken: Held

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

3:00 P.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of March 11 and 25, 2008

Action Taken: Approved

- A. [Approve the selection of a development team for the Ventura and Seventh Project and direct staff to negotiate and enter into an exclusive negotiation agreement with the selected developer – \(City and Agency Action\)](#)

Action Taken: Staff recommendation approved for the Urban Pacific Group

- B. Actions pertaining to Proposition 1C Infill Infrastructure Grant Program

1. [RESOLUTION – Authorizing submittal of an \(Proposition 1C\) Infill Infrastructure Grant Program application to the State of California Department of Housing and Community Development for the Ventura and Seventh Mixed-Use Project – Redevelopment Agency \(City and Agency Action\)](#)

Action Taken: Joint Resolution Nos. 2008-71/1714 adopted

2. [RESOLUTION – Authorizing the submittal of an \(Proposition 1C\) Infill Infrastructure Grant Program application to the State of California Department of Housing and Community Development for the South Stadium Revitalization Project – Redevelopment Agency \(Agency Action\)](#)

Action Taken: Resolution No. 1715 adopted

3. [RESOLUTION - Authorizing the submittal of an \(Proposition 1C\) Infill Infrastructure Grant Program application to the State of California Department of Housing and Community Development for The Transit Village Project and authorize the Planning and Development Director to execute all necessary grant documents - Planning and Development Department \(City Action\)](#)

Action Taken: Resolution No. 2008-72 adopted

4. [RESOLUTION - In support of Proposition 1C Infill Infrastructure Grant Program application to the State of California Department of Housing and Community Development for Bastian Court - City Manager's Office \(City Action\)](#)

Action Taken: Resolution No. 2008-73 adopted

5. [RESOLUTION - In support of a Proposition 1C Infill Infrastructure Grant Program application to the State of California Department of Housing and Community Development for Campus Pointe Market Associates, LP \(City Action\) – City Manager's Office](#)

Action Taken: Resolution No. 2008-74 adopted

6. [RESOLUTION - In support of a Proposition 1C Infill Infrastructure Grant Program application to the State of California Department of Housing and Community Development for Fancher Creek Properties, LLC. \(City Action\) - City Manager's Office](#)

Action Taken: Resolution No. 2008-75 adopted

ADJOURN AGENCY

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Apr. 8 - 8:30 A.M. 1st Quarter "Make a Promotion a Commotion" Ceremony (*Reception immediately following – 2nd floor foyer*)
- Apr. 15 - 8:30 A.M. Presentation of P.R.I.D.E. Team Certificates for the Spring Quarter (*Reception immediately following – 2nd floor foyer*)
- Apr. 15 - 10:00 A.M. **HEARING** re: General Plan Amendment No. A-08-02, Rezone Application No. R-08-02, CUP No. C-08-02, filed by LREG, Inc. on behalf of the City of Fresno (Legacy Project)
- Apr. 15 - 10:15 A.M. Consider and provide direction on proposed Blueprint scenarios – Barbara Goodwin, Executive Director of COG
- Apr. 15 - 10:45 A.M. **HEARING** re: Tract No. 5358, Annexation No. 31
- Apr. 22 - **NO MEETING – COUNCIL RECESS**
- Apr. 29 - 10:00 A.M. **HEARING** re: vacation of "N"- "O" Street alley
- April 29 - 10:15 A.M. **HEARING** re: Application No. TA-07-03
- Apr. 30 - 2:00 P.M. (**WEDNESDAY**) Presentation of Employee Service Awards (Council Chambers) – (*Reception immediately following – 2nd floor foyer*)