



City Council Agenda

Council President
Blong Xiong

Councilmembers

Brian Calhoun, Ph.D.
Paul Caprioglio
Mike Dages

Jerry Duncan
Henry T. Perea
Cynthia A. Sterling – Acting President

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.

June 3, 2008

8:30 A.M. ROLL CALL

Invocation by Councilmember Dages

Pledge of Allegiance to the Flag

Ceremonial Presentation:

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 [May 20](#) and [27](#), 2008

Action Taken: Approved

Councilmember Reports and Comments

Action Taken: Made

Approve Agenda

Action Taken: Approved, as amended

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 immediately following.

- A. **RESOLUTION** – Of intention to annex Tract No. 5728 as Annexation No. 25 to City of Fresno Community Facilities District No. 11 and to authorize the levy of special taxes, and setting the public hearing for June 17, 2008, at 10:00 a.m. (**Property located in District 1**) – Public Works Dept.
Action Taken: Resolution No. 2008-120 adopted
- B. **Reject all bids to furnish and install ice floor cover for Selland Arena – General Services Department**
Action Taken: Rejected
- C. * **Award a contract in the amount of \$1,349,167 to Daktronics Inc., of Anaheim, CA, to design, build and install a scoreboard system for Selland Arena - General Services**
Action Taken: Awarded
- D. * **Authorize the Department of Transportation/Fresno Area Express to extend and amend the Downtown Transportation and Infrastructure Study contract to include developing a downtown wayfinding and signage plan – Fresno Area Express**
Action Taken: Referred back to staff to address concerns and return within 30 days
- E. * **RESOLUTION** – 92nd amendment to AAR No. 2007-214 appropriating \$135,700 to provide additional funding for the construction of a bicycle lane and pedestrian trail previously approved by Council (**Requires 5 affirmative votes**) – Public Works Department
Action Taken: Resolution No. 2008-121 adopted
- F. * **Approve an amendment to agreement with Moore, Iacofano, Goltsman, Inc. (MIG) for the amount of \$54,010 to survey City facilities for barriers for persons with disabilities and train City staff – Public Works Department**
Action Taken: Approved
- G. **RESOLUTION** – Authorizing support for and participation in the Council of Fresno County Governments West Area Transportation and Circulation Planning Study and authorizing the execution of documents by the Public Works Director or his designee - Public Works Department
Action Taken: Resolution No. 2008-122 adopted

1. **CONSENT CALENDAR CONTINUED**

- H. * Award a contract in the amount of \$796,800 to Steve Dovali Construction to construct a Sound Mitigation Project at Fresno Surface Water Treatment Facility – Department of Public Utilities
Action Taken: Awarded
- I. * Award a contract in the amount of \$123,250.00 to Clovis Well Drilling for well rehabilitation & deepening at Pump Station #298 – Department of Public Utilities
Action Taken: Awarded
- J. * Award contract to West Valley Construction Company in the amount of \$102,150.00 for underground boring and placement of water service tubing – Department of Public Utilities
Action Taken: Awarded
- K. * Approve Second Amendment to Agreement with URS Corporation Americas, for construction management services for the organic upgrade project at the Fresno-Clovis Regional Wastewater Reclamation Facility (**Property located in District 3**) – Department of Public Utilities
Action Taken: Approved
- L. Consideration of proposed McKinley-Hayes No. 3 Reorganization: Resolution for approval to file with the Fresno Local Agency Formation Commission (LAFCO) for the detachment of certain territory consisting of approximately 318 acres from the North Central Fire Protection District and the Kings River Conservation District and annexation of the same territory to the City of Fresno – Planning and Development Department
Action Taken: Considered
1. Consider and adopt the Environmental Finding for Environmental Assessment No. R-07-76 dated December 18, 2007, No. T-5632/R-05-96 dated October 26, 2006, and No. T-5633/R-05-104 dated August 30, 2006, that the project proposal conforms to the provisions of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)
Action Taken: Adopted
 2. **RESOLUTION** - Applying to the Fresno Local Agency Formation Commission (LAFCO) in the matter of the proposed McKinley-Hayes No. 3 Reorganization
Action Taken: Resolution No. 2008-123 adopted
- M. * Approve the renewal of a lease agreement between the City of Fresno and the Boys and Girls Clubs for the purpose of providing youth guidance and development programs and activities to children of Fresno - PARCS
Action Taken: Approved
- N. * Authorize staff to negotiate and enter contract documents with Progressive Solutions, Inc for software services, support training and maintenance, and with Dell Inc. for related hardware to replace existing business tax licensing, cashiering, and pet licensing programs pursuant to City RFP No. 2767 in a total amount not to exceed \$335,000 financed under City's Master Lease Purchase Agreement, and execute necessary documents subject to City Attorney approval to form – Finance Department
Action Taken: Authorized
- O. **BILL – (For Introduction)** - Amending Subsection (a) of Sections 7-504 and 7-505 of the Fresno Municipal Code relating to local sales and use taxes, pursuant to a Memorandum of Understanding (MOU) with the County of Fresno– Finance Department
Action Taken: Bill No. B-35 introduced/laid over
- P. **BILL – (For introduction)** – Adding Section 5-308 to the Fresno Municipal Code regarding conduct on or about transit property – City Attorney's Office
Action Taken: Bill No. B-36 introduced/laid over

CONTESTED CONSENT ITEMS (IF ANY)

SCHEDULED COUNCIL HEARINGS AND MATTERS

8:40 A.M. A. **SCHEDULED COMMUNICATION:**

8:40 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**

8:45 A.M. **CITY COUNCIL**

A. Status report regarding clean-up and rehabilitation of the JC Penney and Bank of Italy buildings on the Fulton Mall – Acting President Sterling

Action Taken: Discussed

B. Request Council support of the Freedom Wall Memorial In Woodward Park - Councilman Duncan

Action Taken: Approved

1. **RESOLUTION** – Supporting the Freedom Wall Memorial at Woodward Park and support the request for funding the Freedom Wall Memorial from the Clovis Memorial District

Action Taken: Resolution No. 2008-124 adopted

9:00 A.M. **GENERAL ADMINISTRATION**

A. Approve the inclusion of a Firefighter Memorial into the Training Center Site Master Plan - Fire Department

Action Taken: Approved

B. Update on the Southeast Growth Area (SEGA) Specific Plan formulation process, Community Outreach Program, the SEGA Alternative Scenarios community meeting scheduled for June 10, 2008, and generalized schedule going forward toward plan adoption - Planning and Development Dept.

Action Taken: Update given

10:00 A.M.#1 **HEARING** to consider Community Facilities District No. 11 (Final Tract Map No. 5600) Annexation No. 30 (**Property located in District 2**) – Public Works Dept.

Action Taken: Held

a. **RESOLUTION** – Annexing territory to Community Facilities District No. 11, Annexation No. 30 and authorizing the levy of taxes

Action Taken: Resolution No. 2008-125 adopted

b. **RESOLUTION** - Calling special mailed-ballot election

Action Taken: Resolution No. 2008-126 adopted

c. **RESOLUTION** - Declaring election results

Action Taken: Resolution No. 2008-127 adopted

d. * **BILL** – Levying a special tax for the property tax year 2008-2009 and future tax years within and relating to Community Facilities District No. 11, Annexation No. 30

Action Taken: Bill No. B-37/Ordinance No. 2008-34 adopted

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

- 10:00 A.M.#2** **RESOLUTION** - Approving the Final Map of Tract No. 5600, Phase 1 of Vesting Tentative Map No. 5600, accepting dedicated public uses therein; authorize the Public Works Director, the Public Utilities Director, and the Planning and Development Director to execute the necessary documents **(Property located in District 2)** – Planning and Development Department
Action Taken: Resolution No. 2008-128 adopted
- 10:10 A.M.** **CONTINUED HEARING** to consider Conditional Use Permit Application No. C-07-368, filed by Scott Vincent AIA on behalf of Estes Investment LLC, pertaining to approximately 6.5 acres of property located on the northeast corner of N. Polk and W. Palo Alto Avenues (5430 W. Palo Alto Avenue) **(Property located in District 2)** – Planning and Development Dept.
Action Taken: Held
- a. Consider and adopt Environmental Assessment No. C-07-368, determination of initial study to file a Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130
Action Taken: Adopted
- b. **RESOLUTION** – Adopting the Finding of Conformity with Master Environmental Impact Report No. 10130 and approving Conditional Use Permit Application No. C-07-368 for property located on the northeast corner of N. Polk and W. Palo Alto Avenues
Action Taken: Resolution No. 2008-129 adopted
- 10:15 A.M.** **HEARING** - Text Amendment Application No. TA-07-03, and environmental findings, initiated by the Planning and Development Department Director, related to a variety of issues intended to simplify and streamline the Zoning Ordinance and to propose changes and additions to best promote the implementation of the goals of the 2025 Fresno General Plan Planning and Development Dept.
Action Taken: Held
- a. **BILL (For Introduction)** – Adopting TA-07-03 and environmental findings as recommended by the Planning Commission amending the text of the Fresno Municipal Code Zoning Ordinance related to a variety of issues
Action Taken: Bill No. B-38 introduced without Section 126 as recommended by staff
- 10:30 A.M.** **HEARING** to consider Rezone Application No. R-07-06, and environmental findings, filed by Provost & Pritchard Engineering Group Inc, on behalf of Fresno Skating Center Inc, pertaining to approximately 3.21 acres of property located on the north side of W. Clinton Avenue between N. Marks and N. Valentine Avenues **(Property located in District 3)** – Planning and Development Department
Action Taken: Continued to 6/24/2008 @ 11:00 a.m.
- a. Consider and adopt Environmental Assessment No. R-07-06, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan
- b. **BILL** – Amending the Official Zone Map to rezone the subject property from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) and the C-6/UGM/cz (*Heavy Commercial/Urban Growth Management/conditions of zoning*) zone districts to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

10:45 A.M. JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Presentation of United States Environmental Protection Agency Brownfields Cleanup Grant - **Presented**

Approve Agency minutes of May 13, 2008

Action Taken: Approved

A. Award a contract to Nick’s Trucking Inc. for the demolition and clearance of a single home on 206 E. Geary Avenue in Southwest Fresno G.N.R.A. Redevelopment Project Area for the Hope VI Project **(Agency action)**

Action Taken: Awarded

B. **RESOLUTION** - Making certain findings pursuant to Section 33445 of the Community Redevelopment Law (CLR), authorizing the Agency’s installation of public improvements in Golden State Boulevard within the Freeway 99 - Golden State Boulevard Corridor Redevelopment Project Area **(Council and Agency action)**

Action Taken: Joint Resolution Nos. 2008-130/1719 adopted

1. Award the contract in the amount of \$631,499 to Granite Construction, Inc. for the reconstruction of Golden State Boulevard between Ashlan Avenue and the extension of Gettysburg within the Freeway 99 - Golden State Boulevard Corridor Redevelopment Area **(Agency action)**

Action Taken: Awarded

ADJOURN AGENCY

**** The June 3, 2008 City Council meeting hereby continued to June 5, 2008 at 8:30 a.m. or soon thereafter as is practicable for continued consideration of the 2008-2009 Budget. Note: the order listed below is subject to change.**

June	5 -	8:30 A.M.	Personnel Services Dept., Finance Department, General Services, Information Services Department, Airports, Public Works Dept.,
June	9 -	8:30 A.M.	Fire Dept., Police Dept. , Planning and Development Dept.
June	10 -	3:00 P.M.	PARCS, Economic Development,
June	12 -	8:30 A.M.	General City Purpose, Convention Center, Council, Mayor, City Manager’s Office
June	12 -	4:00 P.M.	CDBG
June	17 -	2:00 P.M.	Redevelopment Agency; Vote on Motions
June	19 -	8:30 A.M.	Final Adoption of Budget

SCHEDULED COUNCIL HEARINGS AND MATTERS

June	10 -	10:00 A.M.	WORKSHOP re: water meter installation program
June	10 -	3:00 P.M.	Consider adoption of Agency resolution certifying Subsequent Environmental Impact Report (SEIR) SCH # 2003051046 for the Old Armenian Town Project-relocation of historical resources
June	10 -	4:00 P.M.	HEARING re: Trimester Plan Amendment Cycle
June	17 -	10:00 A.M.	HEARING re: Tract No. 5728, Annexation No. 25
June	17 -	10:15 A.M.	Adoption of the 2008-2013 City of Fresno Housing Element of the General Plan
June	24 -	10:00 A.M.	Update on the status of the Hotel Fresno – Councilmember Calhoun
June	24 -	10:30 A.M.	HEARING re: repeal of the Official Plan Line for W. Gettysburg Avenue betw. N. Grantland Avenue and N. Garfield Avenue
June	24 -	10:40 A.M.	HEARING re: Tract No. 5901, Annexation No. 32
June	24 -	11:00 A.M.	CONTINUED HEARING to consider Rezone Application No. R-07-06, filed by Provost & Pritchard Engineering Group Inc, on behalf of Fresno Skating Center Inc,

HEARING SCHEDULE FOR FISCAL YEAR 2008-2009 ANNUAL BUDGET

June	5 -	8:30 A.M.	Personnel Services Dept., Finance Dept., General Services, Information Services Dept., Airports, Public Works Dept.
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