



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 this meeting.

January 15, 2008

8:30 A.M. ROLL CALL

Invocation by City Manager Andrew T. Souza

Pledge of Allegiance to the Flag

Ceremonial Presentation:

Presentation of Resolution of Commendation to Darryl Smith and Michael Ramos, FAX Bus Operators – City Manager's Office and Fresno Area Express - **Presented**

Presentation of **P.R.I.D.E.** Team Certificates for the Winter Quarter (**Reception immediately following – 2nd floor foyer**) - **Presented**

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 January 8, 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. Annual review and acceptance of the Fiscal Year 2007 Impact Fee Annual Report as required by California Government Code – Public Works Dept.
Action Taken: Reviewed/accepted
- B. Approve contract with Fresno Community Hospital and Medical Center, dba Community Regional Medical Center, for sexual assault forensic examination of victims and suspects – Police Department
Action Taken: Approved
- C. Submission for informational purposes of the Comprehensive Annual Financial Report (“CAFR”) regarding the financial activities of the City of Fresno Retirement Systems for the fiscal year ending June 30, 2007 – Retirement Offices
Action Taken: Submitted/received
- D. Approve Basin “XX” Agreement between the Fresno Metropolitan Flood Control District and the City of Fresno for joint maintenance and operation of drainage basin parks - PARCS
Action Taken: Removed from the agenda
- E. Approve the assignment of City HOME Program CHDO Pre-Development Agreement and HOME Program CHDO Construction Agreement from Central Community Development Center to EAH Inc. and Lockhart Family Center Inc. for development of affordable rental housing for the disabled – Planning and Development Dept.
Action Taken: Approved
- F. **RESOLUTION** - Relating to authorizing submission of an application to the California Integrated Waste Management Board for a Waste Tire Enforcement Grant, and authorizing the Planning and Development Department Assistant Director to sign on behalf of the City of Fresno – Planning and Development Department
Action Taken: Resolution No. 2008-3 adopted

1. **CONSENT CALENDAR CONTINUED**

- G. **RESOLUTION** - Relating to authorizing submission of an application to the State Department of Public Health for Childhood Poisoning Prevention Funding, and authorizing the Planning and Development Department Assistant Director to sign on behalf of the City of Fresno – Planning and Development Dept.
Action Taken: Resolution No. 2008-3 adopted
- H. * Authorize the Director of Planning and Development Department to enter into agreements related to the issuance by the City of building permits for model homes on property subject to annexation proceedings – Planning and Development Department
Action Taken: Agreements 1 & 2 approved; Resolution in staff report not adopted due to non-publication

CONTESTED CONSENT ITEMS (IF ANY)

2. **GENERAL ADMINISTRATION**

- A. * Approve the agreement between the City of Fresno and Townsend Public Affairs, Inc. to provide state lobbying and advocacy services in Sacramento – City Manager’s Office
Action Taken: Approved
- B. * **RESOLUTION** - 52nd amendment to the AAR No. 2007-214 appropriating \$2,000,000 in Park Impact Fees for the purchase of a neighborhood center/gymnasium from the Fresno County Economic Opportunities Commission (EOC) (**Requires 5 affirmative votes**) - PARCS
Action Taken: Removed from the agenda
- C. **RESOLUTION** - Establishing the City of Fresno Disability Advisory Commission – Public Works Dept.
Action Taken: Resolution No. 2008-5 adopted
- D. **RESOLUTION** – Approving transfer of 83% interest of pointholders in card room from Elaine Long and George Sarantos to Kyle Kirkland, Dana Messina and Haig Kalegian – City Manager’s Office
Action Taken: Resolution No. 2008-6 with a minor amendment
- E. * Consider approval of stand-alone tax sharing agreement between the County of Fresno and the City of Fresno for annexation of certain territory known as the McKinley-Hayes No. 3 Reorganization (New Urban Strategies property and adjacent parcels) – Planning and Development Department
Action Taken: Laid over to 2/12/2008
- F. Approval of Contract Change Orders for Phase I renovations to the Fresno Convention and Entertainment Center (FCEC) and authorize the Public Works Director to sign the Change Orders on behalf of the City of Fresno – General Services Department
Action Taken: Approved

SCHEDULED COUNCIL HEARINGS AND MATTERS

- 9:00 A.M. A. **SCHEDULED COMMUNICATION** –
1. Appearance by Williams R. Milton, Sr. to discuss no sidewalk or curb on Home Avenue at Blackstone Avenue – **Appearance made**
- 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**

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

9:15 A.M.#1 **CITY COUNCIL**

9:15 A.M.#2 **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of December 18, 2007

Action Taken: **Approved**

- A. Update on hiring an assistant to the Redevelopment Agency Executive Director – Councilmember Dages
Action Taken: **Update given**
- B. Update on the 1,000 acres of shovel-ready land for use as an industrial park site – Councilmember Dages
Action Taken: **Update given**

ADJOURN AGENCY

10:00 A.M.#1 **CLOSED SESSION**

- A. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)
 - 1. **Case Name:** Virginia Pereida v. City of Fresno, et al.
 - 2. **Case Name:** City of Fresno v. Robert Schoettler, Court Case No.: 06CECG01899 DSB
Action Taken: **Held**
- B. **CONFERENCE WITH LABOR NEGOTIATOR** – Government Code Section 54957.6 (Council President Perea)
City Negotiator(s): Kenneth Phillips, Terry Bond
Employee Organization(s):
 - 1. International Association of Firefighters (IAFF) – Management Unit
Action Taken: **Held**

10:00 A.M.#2 **HEARING** to consider the “El Cazador” Condominium Conversion Application and Vesting Tentative Tract Map No. 5793, filed by United Development Group, pertaining to 4.64 acres of property zoned R-3 (*Medium Density Multiple Family Residential*) located on the west side of N. Cedar Avenue between E. Shaw and E. Gettysburg (**Property located in District 4**) - Planning and Development Dept.
Action Taken: **Continued to 2/12/2008 at 10:00 a.m.**

- 1. Consider and adopt Categorical Exemption for Environmental Assessment No. T-5793
- 2. **RESOLUTION** – Approving Vesting Tentative Tract Map No. 5793 proposing the creation of a one common lot condominium map that will allow for the sale of 100 units for individual airspace ownership; and the conversion of the “El Cazador” multiple family apartment complex into a condominium owner-occupied complex

10:10 A.M. **CONTINUED HEARING** to consider Rezone Application No. R-06-39, and environmental findings, filed by Harbour and Associates on behalf of Riverfront Ventures, LLC. pertaining to approximately 9.40 net acres of property located on the northwest corner of the intersection of W. Herndon and N. Bryan Avenues (**Property located in District 2**) – Planning and Development Department (**Continue to January 29, 2008 at 11:00 a.m.**)
Action Taken: **Continued as noted**

SCHEDULED COUNCIL HEARINGS AND MATTERS

Jan.	22 -		NO MEETING – MARTIN LUTHER KING DAY
Jan.	29 -	8:30 A.M.	4 th Quarter Make a Promotion a Commotion Ceremony (Reception immediately following – 2nd floor foyer)
Jan.	29 -	10:00 A.M.	HEARING re: Underground Utility District No. FRE-86
Jan.	29 -	10:30 A.M.	WORKSHOP re: Parking
Jan	29 -	10:45 A.M.	TEFRA HEARING to consider information concerning the proposed issuance of revenue bonds by the Housing Authority of the City of Fresno to finance the acquisition and construction of Phase II (215 units) of a 464-unit multifamily residential rental project, commonly known as Parc Grove Commons II
Jan	29 -	10:50 A.M.	RESOLUTION - 66th amendment to AAR No. 2007-214 appropriating funds relating to Proposition 1B Funds, and reduce Measure C Funds for the completion of operating and capital projects – Public Works Dept.
Jan.	29 -	11:00 A.M.	CONTINUED HEARING to consider Rezone Application No. R-06-39, and environmental findings, filed by Harbour and Associates on behalf of Riverfront Ventures, LLC.
Jan.	29 -	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
Jan.	29 -	3:15 P.M.	HEARING re: Rezone Application No. R-07-45, filed by Sheng Simon Vang on behalf of Bingo Trading Company
Jan.	29 -	4:00 P.M.	HEARING re: Rezone Application No. R-07-16, filed by The City of Fresno, property located on the southwest corner of E. Kings Canyon Rd. and S. Minnewawa
Jan.	29 -	4:05 P.M.	HEARING re: Plan Amendment A-07-09, Rezone Application No. R-07-28, filed by Harbour Associates on behalf of Mid-State Investors
Jan.	29 -	4:10 P.M.	HEARING re: Plan Amendment No. A-07-11, filed by Sol Development on behalf of Derrel's Mini Storage, property located on E. Kings Canyon Rd. between S. Temperance and S. Armstrong Avenues
Feb.	5 -	10:00 A.M.	Presentation by TreeTOPS Group – (Trails and open space)
Feb.	5 -	10:30 A.M.	HEARING re: Rezone Application No. R-07-70, filed by Envision Homes on behalf of FCF-Built LLC
Feb.	12 -	10:00 A.M.	CONTINUED HEARING to consider the “El Cazador” Condominium Conversion Application and Vesting Tentative Tract Map No. 5793, filed by United Development Group