



City Council Agenda

Council President
Henry T. Perea

Councilmembers

Brian Calhoun, Ph.D.
Mike Dages
Jerry Duncan

Cynthia Sterling
Larry Westerlund
Blong Xiong – 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 this meeting.

January 8, 2008

8:30 A.M. ROLL CALL

Invocation by Pastor Darrell Regensberg of the Lifeway Baptist Church

Pledge of Allegiance to the Flag

Ceremonial Presentation:

Presentation of SPCA Pet of the Month – Council President Perea - **Presented**

Election and Swearing-in of Council President and Acting President – **Members Xiong and Sterling elected**

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Election and Swearing-in of Redevelopment Agency Chair and Vice Chair – **Members Westerlund and Calhoun elected**

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 December 18, 2007

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. Authorize the Chief of Police to enter into a two and a half year agreement in the amount of \$220,415 with The Studio for a health and fitness program for the Police Department - Police Department

Action Taken: Authorized

B. * Award a construction contract in the amount of \$2,798,915.65, including the base bid plus add Alternates 1 and 2, to Dave Christian Construction, for improvements to Clovis Avenue from Kings Canyon Road to McKinley Avenue (**Property located in Districts 4 and 5**) – Public Works Dept.

Action Taken: Awarded

C. * Award a construction contract in the amount of \$1,390,000 to GEO Con Engineering, Inc. for the BMX bike park at the Mosqueda Community Center (**Property located in District 5**) – Public Works Dept.

Action Taken: Awarded

D. * Approve the acquisition of a street easement at the southwest corner of N. Pleasant and W. Garland Avenues to permit the widening of N. Pleasant under the No Neighborhood Left Behind Program (NNLB) (**Property located in District 1**) – Public Works Dept.

Action Taken: Approved

E. Approve Utility Agreement No. 06-1209.73 with State of California Department of Transportation (Caltrans) for the relocation of water utilities within the Freeway Route 180 (east) Project (**Property located in a County Island**) – Public Works Dept.

Action Taken: Approved

F. * **RESOLUTION** – 64th amendment to AAR No. 2007-214 appropriating \$120,000 for construction of a sanitary sewer main in “O” Street for the Legacy Project (**Requires 5 affirmative votes**) (**Property located in District 3**) – Dept. of Public Utilities

Action Taken: Removed from the agenda

1. **CONSENT CALENDAR CONTINUED**

- G. Reject all bids for fabrication and delivery of granulated activated carbon dual vessel modules for Pump Station 2B - Dept. of Public Utilities
Action Taken: Rejected
- H. * Award a contract in the amount of \$305,080.00 to Henderson Construction Company for installation of street infrastructure in No Neighborhood Left Behind Area 48 which is bounded by Willow, Helm, Olive and McKinley Avenues (**Property located in District 4**) - Dept. of Public Utilities
Action Taken: Awarded
- I. * Award a contract in the amount of \$182,470.00 to Yarbs Enterprise for installation of street infrastructure in No Neighborhood Left Behind Area 78 which is bounded by Freeway 180, Freeway 41, Olive and Fresno Street (**Property located in District 7**) - Dept. of Public Utilities
Action Taken: Awarded
- J. * Award a contract in the amount of \$150,919.50 to JWT General Engineering for installation of street infrastructure in No Neighborhood Left Behind Area 81 which is bounded by Fresno, First, McKinley and Weldon Avenues (**Property located in District 7**) - Dept. of Public Utilities
Action Taken: Awarded
- K. **RESOLUTION** – Initiating rezoning (pre-zoning) on 11 parcels totaling approximately 70.58 acres within the City of Fresno's Sphere of Influence, property located on the south side of W. Shaw Avenue between N. Hayes and N. Bryan Avenues (Shaw-Bryan No. 2 Reorganization) (**Property located in District 2**) – Planning and Development Dept.
Action Taken: Resolution No. 2008-01 adopted
- L. Reject the sole bid for design, build and lease with option to purchase Central District Area Police Substation and adjacent secure storage building - Police Department
Action Taken: Rejected

CONTESTED CONSENT ITEMS (IF ANY)

2. **GENERAL ADMINISTRATION**

- A. * **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: Laid over one week
- B. Actions relating to the creation of the ten (10) year plan to end homelessness – City Manager's Office
1. Discussion and direction regarding the creation of the ten (10) year plan to end homelessness
Action Taken: Staff recommendation approved subject to approval of County Board of Supervisors
 2. * **RESOLUTION** – 6th amendment to PAR No. 2007-215 adding a Management Analyst III position needed to support the Homeless Task Force
Action Taken: Resolution No. 2008-02 adopted

3. **CLOSED SESSION**

- A. **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: Laid over one week

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**

10:00 A.M. Consideration of 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 – Planning and Development Department

Action Taken: Laid over one week

- a. Consider and adopt Environmental Assessment No. R-06-39/T-5558/C-06-143, 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/Expressway Area Overlay/Urban Growth Management) zone district to the R-1/EA/UGM (Single Family Residential/Expressway Area Overlay/Urban Growth Management) zone district

3:00 P.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

A. Consider adoption of Agency resolution certifying Subsequent Environmental Impact Report (SEIR) SCH # 2003051046 for the Old Armenian Town Project-relocation of historical resources (***Continue to January 29, 2008 at 3:00 P.M.***)

Action Taken: Continued as noted

ADJOURN AGENCY

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Jan. 15 - 8:30 A.M. Presentation of **P.R.I.D.E.** Team Certificates for the Winter Quarter (*Reception immediately following – 2nd floor foyer*)
- Jan. 15 - 10:00 A.M. **HEARING** re: El Cazador Condominium conversion Application and Vesting Tentative Tract Map No. 5793, filed by United Development Group
- Jan. 22 - **NO MEETING – MARTIN LUTHER KING DAY**
- Jan. 29 - 8:30 A.M. 4th 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 - 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 - 3:20 P.M. **HEARING** re: Rezone Application No. R-07-70, filed by Envision Homes on behalf of FCF-Built LLC
- 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