

The City Council met in regular session at the hour of 8:30 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Brian Calhoun	Councilmember
	Mike Dages	Councilmember
	Jerry Duncan	Councilmember
	Cynthia Sterling	Councilmember
	Larry Westerlund	Councilmember
	Blong Xiong	Acting Council
	Henry Perea	Council President

Andy Souza, City Manager
 Dave Hale, Chief Assistant City Attorney
 Becky Klisch, City Clerk
 Yolanda Salazar, Assistant City Clerk

Pastor Darrell Regensberg of Lifeway Baptist Church gave the invocation and President Perea led the Pledge of Allegiance.

PRESENTATION OF THE SPCA PET OF THE MONTH - PRESIDENT PEREA

"Sister", a 3-year old Chihuahua mix was presented.

ELECTION OF COUNCIL PRESIDENT AND ACTING COUNCIL PRESIDENT

A motion and second was made to elect Acting President Xiong as Council President.

Paul H. Garcia spoke in support.

On motion of President Perea, seconded by Councilmember Duncan, duly carried, RESOLVED, Acting President Xiong elected Council President, by the following vote:

Ayes :	Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong, Perea
Noes :	None
Absent :	None

Upon question, Chief Assistant City Attorney Hale clarified the election pertained only to the Council President and the Acting Council President would automatically rotate in based on the Resolution. Councilmember Calhoun noted he would normally become the Acting Council President but stated since he would term out next year he felt it made more sense for Councilmember Sterling to serve in that position to prepare for the President position in 2009, and upon his question Councilmember Sterling stated she would be honored to serve as Acting Council President this year whereupon Councilmember Calhoun relinquished the position.

President Xiong took his seat at the dais and on behalf of the City Council presented a plaque to Councilmember Perea recognizing his public service, hard work, and leadership this past year as Council President.

Acting President Sterling stated although it would be challenging she looked forward to a very successful year and to working with President Xiong.

MEETING OF THE REDEVELOPMENT AGENCY:

The City Council recessed at 8:45 a.m. and convened in session as the Redevelopment Agency.

ELECTION OF THE REDEVELOPMENT AGENCY CHAIR AND VICE CHAIR

A motion and second was made to nominate Vice Chair Dages as Agency Chair. Member Calhoun stated he was going to nominate Member Westerlund and would wait to see the outcome of this vote.

A motion of Chair Sterling, seconded by Member Perea, to elect Vice Chair Dages as Chair of the Redevelopment Agency failed, by the following vote:

Ayes : Dages, Perea, Sterling
Noes : Calhoun, Duncan, Westerlund, Xiong
Absent : None

A motion and second was made to nominate Member Westerlund as Chair of the Redevelopment Agency.

Paul H. Garcia spoke in support of the nomination.

On motion of Member Calhoun, seconded by Member Duncan, duly carried, RESOLVED, Member Westerlund elected Chair of the Redevelopment Agency, by the following vote:

Ayes : Calhoun, Duncan, Westerlund, Xiong
Noes : Dages, Perea, Sterling
Absent : None

Member Perea left at 8:48 a.m. and was absent for the remainder of the meeting.

On motion of Member Duncan, seconded by Chair Westerlund, duly carried, RESOLVED, Member Calhoun elected Vice Chair of the Redevelopment Agency, by the following vote:

Ayes : Calhoun, Dages, Duncan, Sterling, Xiong, Westerlund
Noes : None
Absent : Perea

The Redevelopment Agency adjourned its meeting at 8:49 a.m. and the City Council reconvened in regular session.

APPROVE MINUTES OF DECEMBER 18, 2007:

On motion of Councilmember Westerlund, seconded by Acting President Sterling, duly carried, RESOLVED, the minutes of December 18, 2007, approved as submitted.

COUNCIL MEMBER REPORTS AND COMMENTS:

COUNCILMEMBER CALHOUN: Recent storm and question on how the RFS system/process works due to emergency request made by his staff to public works on a flooded street that remained unopened all day, with City Manager Souza requesting emergency/high priority situations be called in rather than made through the system and added he would follow-up with staff.

COUNCILMEMBER WESTERLUND: (1) Commendation to staff on storm preparation and work thereafter; and (2) request for update on copper wire thefts, with Mr. Souza responding.

COUNCILMEMBER DUNCAN: Appreciation expressed for the efficient sand bag system for the storm and commendation to staff and all involved in the filling of the sand bags.

COUNCILMEMBER DAGES: (1) Request staff include the Maribella Courts in the FY 2009 budget for funding consideration as a potential affordable housing project; (2) request staff look into neighborhood lights out in the Kings Canyon/Adler NNLB project; (3) early October fire at 4736 E. Kings Canyon and request staff look into lack of clean-up by the property owner; and (4) request staff schedule Agency items on the agenda relating to (a) update and identification of the 1,000 acres of shovel-ready land, and (b) the hiring of an Assistant RDA Director.

APPROVE AGENDA:

(3:00 P.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY - HEARING TO CONSIDER ADOPTION OF AGENCY RESOLUTION CERTIFYING SEIR FOR THE OLD ARMENIAN TOWN PROJECT (RELOCATION OF HISTORICAL RESOURCES) **(Continue to January 29, 2008, at 3:00 p.m.)**

Continued as noted.

(1-F) RESOLUTION - 64TH AMENDMENT TO THE AAR APPROPRIATING \$120,000 FOR CONSTRUCTION OF A SANITARY SEWER MAIN IN "O" STREET FOR THE LEGACY PROJECT (ON SELLAND ARENA PARKING LOT)

Removed from the agenda by staff.

(10:00 A.M.) CONSIDER REZONE APPLICATION NO. R-06-39 AND ENVIRONMENTAL FINDINGS FILED BY HARBOUR & ASSOCIATES ON BEHALF OF RIVERFRONT VENTURES, LLC, NORTHWEST CORNER OF THE W. HERNDON/N. BRYAN INTERSECTION; CONSIDER AND ADOPT THE E.A.; AND ADOPT BILL AMENDING THE OFFICIAL ZONE MAP

Councilmember Calhoun advised there were some outstanding issues with the developer and requested a one week delay.

(2-A) RESOLUTION - 52ND AMENDMENT TO THE AAR APPROPRIATING \$2,000,000 IN PARK IMPACT FEES FOR THE PURCHASE OF A NEIGHBORHOOD CENTER/GYMNASIUM FROM THE FRESNO COUNTY ECONOMIC OPPORTUNITIES COMMISSION (EOC)

Councilmember Sterling noted some new information surfaced and she wanted more time to discuss that and requested the item be laid over one week, with City Manager Souza stating staff was supportive of a one week delay. Chief Assistant City Attorney Hale spoke briefly to the changes and flexibility time-wise and added because of the changes this would not be a reconsideration request as originally scheduled.

On motion of Councilmember Westerlund, seconded by Acting President Sterling, duly carried, RESOLVED, the **AGENDA** hereby approved, as amended, by the following vote:

Ayes : Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong
Noes : None
Absent : Perea

(9:00 A.M.) PUBLIC COMMENT - UNSCHEDULED ORAL COMMUNICATION (Continued after Consent Calendar):

Sherry Smith, 4724 W. Swift, spoke to petitions containing 1,483 signatures in support of saving Fire Station 16 that she forwarded to the fire chief and later to Council District 1 and which Council was not made aware of.

"PUBLIC COMMENT" was briefly interrupted to address the Consent Calendar.

ADOPT CONSENT CALENDAR:

(1-A) AUTHORIZE THE CHIEF OF POLICE TO ENTER INTO AN AGREEMENT IN THE AMOUNT OF \$220,415 WITH THE STUDIO FOR A HEALTH AND FITNESS PROGRAM FOR THE POLICE DEPARTMENT

Councilmember Calhoun thanked the police department for responding to his questions and providing significant information.

(1-B) AWARD A CONSTRUCTION CONTRACT, INCLUDING THE BASE BID PLUS ADD ALTERNATES 1 AND 2, IN THE TOTAL AMOUNT OF \$2,798,915.65, TO DAVE CHRISTIAN CONSTRUCTION, FOR IMPROVEMENTS TO CLOVIS AVENUE FROM KINGS CANYON ROAD TO MCKINLEY AVENUE, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO SIGN THE CONTRACT ON BEHALF OF THE CITY

(1-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, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR ASSIGNEE TO SIGN THE CONTRACT ON BEHALF OF THE CITY

(1-D) APPROVE ACQUISITION OF A STREET EASEMENT AT THE SOUTHWEST CORNER OF N. PLEASANT AND W. GARLAND AVENUES FROM DONNA RODRIGUEZ, TRUSTEE OF THE HORACE I. WHITE 1995 TRUST, FOR THE APPRAISED VALUE OF \$19,380, FOR THE WIDENING OF N. PLEASANT UNDER THE NNLB PROGRAM

(1-E) APPROVE UTILITY AGREEMENT NO. 06-1209.73 WITH THE STATE OF CALIFORNIA (CALTRANS) TO INSTALL AN 8" WATER MAIN ON THE CITY'S BEHALF, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR ASSISTANT DIRECTOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

(1-G) REJECT ALL BIDS FOR FABRICATION AND DELIVERY OF GRANULATED ACTIVATED CARBON DUAL VESSEL MODULES FOR PUMP STATION 2B

(1-H) AWARD A CONTRACT IN THE AMOUNT OF \$305,080 TO HENDERSON CONSTRUCTION CO. FOR INSTALLATION OF STREET INFRASTRUCTURE IN NNLB AREA 48 BOUND BY WILLOW, HELM, OLIVE AND MCKINLEY AVENUES

(1-I) AWARD A CONTRACT IN THE AMOUNT OF \$182,470 TO YARBS ENTERPRISE FOR INSTALLATION OF STREET INFRASTRUCTURE IN NNLB AREA 78

(1-J) AWARD A CONTACT IN THE AMOUNT OF \$150,919.50 TO JWT GENERAL ENGINEERING FOR INSTALLATION OF STREET INFRASTRUCTURE IN NNLB AREA 81 BOUND BY FRESNO, FIRST, MCKINLEY AND WELDON AVENUES

(1-K) RESOLUTION NO. 2008-1 - INITIATING REZONING (PRE-ZONING) ON 11 PARCELS LOCATED ON THE SOUTH SIDE OF W. SHAW BETWEEN N. HAYES AND N. BRYAN AVENUES WITHIN THE CITY'S SPHERE OF INFLUENCE (SHAW-BRYAN NO. 2 REORGANIZATION)

(1-L) REJECT THE SOLE BID RECEIVED FOR DESIGN, BUILD AND LEASE WITH OPTION TO PURCHASE CENTRAL DISTRICT AREA POLICE SUBSTATION AND ADJACENT SECURE STORAGE BUILDING

On motion of Councilmember Calhoun, seconded by Acting President Sterling, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes : Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong
Noes : None
Absent : Perea

(9:00 A.M.) PUBLIC COMMENT - UNSCHEDULED ORAL COMMUNICATION (Continued from earlier):

Paula Savino spoke to the homeless.

(2-B) ACTIONS RELATING TO THE CREATION OF THE "TEN (10) YEAR PLAN TO END HOMELESSNESS"

1. DISCUSSION AND DIRECTION ON RECOMMENDED ACTION PLAN (CREATION OF THE PLAN)

2. RESOLUTION NO. 2008-2 - 6TH AMENDMENT TO THE PAR ADDING A MANAGEMENT ANALYST III POSITION NEEDED TO SUPPORT THE HOMELESS TASK FORCE

City Manager Souza reviewed the issue and recommended approval of the Action Plan and position, all as contained in the staff reports as submitted.

Acting President Sterling thanked staff for all their efforts to date, spoke in support of the issue and offered her assistance in whatever role needed, and made a motion to approve staff's recommendation, which motion was seconded by Councilmember Westerlund and subsequently amended.

Councilmember Calhoun thanked City Manager Souza and staff for their work but stated his concern was this was moving too fast, and elaborated at length on additional concerns which included the 100 day deadline, lack of a budget at this time **(2 - 0)**, the proposal for a high level, expensive M.A. III position and why that type of position was needed, not utilizing qualified in-house staff, and the lack of County input and it being unknown where they are going and what they are going to commit to. Councilmember Dages stated he would rather see something ambitious rather than this being dragged out, agreed the County's input was needed, presented questions relative to whether funding for the position had been identified (with Mr. Souza responding affirmatively), and expressed his support and stated he looked forward to the report. Councilmember Duncan stated work on this started a long time ago; expressed his support noting a Plan would open the door to receiving significant new money and non-traditional, outside task force members would bring a new, fresh perspective; stated Forest City should be part of the task force due to their investment downtown and their experience in dealing with homeless issues; and presented questions relative to whether the position would be permanent full-time or part-time, why the position could be not labeled "temporary" for control purposes, if staff had anyone in mind for the position, when the County was going to consider this issue, if the County was going to contribute financially to the position, what will happen if the County does not agree with the recommended process, and if staff saw the County's role in this as critical, with Mr. Souza responding throughout. Councilmember Duncan offered an amendment to the motion and upon his question Acting President Sterling (and Councilmember Westerlund) accepted the amended motion to approve staff's recommendation subject to approval by the County Board of Supervisors.

Councilmember Westerlund thanked the Mayor and City Manager for their leadership, commitment and work, stated the joint policy approved at the city/county meeting on homelessness was sufficient to move forward and showed the County's commitment, and presented questions relative to the Interagency Task Force on Homelessness' Plan, if staff will be able to work with them, and if an accounting could be provided on money set aside for capital/land acquisition, with Mr. Souza responding.

Councilmember Calhoun stated the amendment was helpful but did not go far enough, emphasized when a new position is added it stays in forever and added it needed to be considered as part of the budgeting process, again questioned why the City could not use existing resources stressing talented staff was available and times were getting tough, and stated he wanted to vote separately on the position and the plan and made a motion to bifurcate Items #1 and #2, which motion was seconded by Councilmember Duncan. Mr. Souza stated no position was in perpetuity and an M.A. III was selected not only for the professional expertise required but also because it was an at-will position and explained, stated existing staff already had their duties and to take them away from those duties would leave a hole, and pointed out this was a special project that needed someone fully dedicated to it and requested council authorize the position to begin implementation of the plan and then decide during budget whether the position needs to be on-going.

Councilmember Duncan clarified he seconded Councilmember Calhoun's motion as he felt it was good to support any member's request to split issues and vote separately, presented questions relative to when the first meeting would occur and how the City will be able to hire and have the high level person in place by the first week in February (with Mr. Souza responding), and stated he would support establishing the position but would not support it past the establishment of the plan. Mr. Souza responded briefly to questions of President Xiong relative what may be delayed in this process if the position can not be filled.

A motion of Councilmember Calhoun, seconded by Councilmember Duncan, to bifurcate and vote separately on the above entitled Items 1 and 2 failed, by the following tie vote:

Ayes : Calhoun, Duncan, Westerlund
Noes : Dages, Sterling, Xiong
Absent : Perea

On motion of Acting President Sterling, seconded by Councilmember Westerlund, duly carried, RESOLVED, subject to approval by the Fresno County Board of Supervisors staff's Recommended Action Plan to (1) create the "Task Force to End Homelessness in Fresno City and County" to prepare the Plan, (2) give the Task Force 100 days to complete the Plan, and (3) create a position dedicated to homelessness issues, including the creation and implementation of the Plan hereby approved, and the above entitled Resolution No. 2008-2 hereby adopted, by the following vote:

Ayes : Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong
Noes : None
Absent : Perea

(3) CLOSED SESSION:

(A) CONFERENCE WITH LABOR NEGOTIATOR - PRESIDENT PEREA

CITY NEGOTIATOR(S): KENNETH PHILLIP, TERRY BOND

EMPLOYEE ORGANIZATION: INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF) - MANAGEMENT UNIT

Councilmember Duncan noted this item was placed on the agenda by Councilmember Perea who had his reason for doing so, and stated he felt Councilmember Perea should be present and made a motion to lay the matter over one week.

On motion of Councilmember Duncan, seconded by Councilmember Dages, duly carried, RESOLVED, the above entitled Closed Session Item 3-A laid over one week, by the following vote:

Ayes : Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong
Noes : None
Absent : Perea

ADJOURNMENT

There being no further business to bring before the City Council, the hour of 10:03 a.m. having arrived and hearing no objections, President Xiong declared the meeting adjourned.

Approved on the ____15th____ day of ____January____, 2008.

_____/s/_____
Blong Xiong, Council President

ATTEST: _____/s/_____
Yolanda Salazar, Assistant City Clerk