

OFFICIAL COPY

Fresno, California

June 10, 2008

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                 |
|          | Paul Caprioglio  | Councilmember                 |
|          | Mike Dages       | Councilmember                 |
|          | Jerry Duncan     | Councilmember                 |
|          | Henry Perea      | Councilmember (arrived later) |
|          | Cynthia Sterling | Acting Council President      |
|          | Blong Xiong      | Council President             |

Andy Souza, City Manager  
James Sanchez, City Attorney  
Becky Klisch, City Clerk  
Yolanda Salazar, Assistant City Clerk

Councilmember Dages gave the invocation and President Xiong led the Pledge of Allegiance.

ADMINISTRATION OF OATH OF OFFICE TO PRESIDENT XIONG AS MEMBER OF THE COMMISSION ON ASIAN AND PACIFIC ISLANDER AMERICAN AFFAIRS

Administered.

PRESENTATION OF THE SPCA PET OF THE MONTH - COUNCILMEMBER DAGES

The pet of the month available for adoption, a one year old male cat, was presented.

President Xiong congratulated Coach Batesole and the Fresno State baseball team for defeating #3 ranked Arizona State and going to the College World Series and wished them well.

PRESENTATIONS BY THE DPU GOLF TOURNAMENT COMMITTEE OF (1) A CHECK TO THE FRESNO COMMUNITY FOOD BANK, AND (2) A TROPHY TO COMMUNITY SANITATION FOR PLACING #1 IN THE SAME DIVISION EMPLOYEES TEAMS

Presentations made.

PRESENTATION OF CHECK TO THE PARCS DEPARTMENT FROM FRESNO UNITED NEIGHBORHOODS - PRESIDENT XIONG

Presented.

PROCLAMATION OF "JUNETEENTH DAY" - ACTING PRESIDENT STERLING

PROCLAMATION OF "UNITED STATES ARMY WEEK" - MAYOR'S OFFICE

The above proclamations were read and presented.

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**APPROVE MINUTES OF MAY 30, JUNE 3 AND JUNE 5, 2008:**

On motion of Councilmember Dages, seconded by Councilmember Caprioglio, duly carried, RESOLVED, the minutes of May 30, June 3 and June 5, 2008, approved as submitted.

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**COUNCIL MEMBER REPORTS AND COMMENTS:**

COUNCILMEMBER PEREA: Report on attendance at the League of California Cities conference and water forum hosted by the Latino Caucus.

COUNCILMEMBER CALHOUN: Invitation extended to the dedication of the Vietnam Veterans Memorial at the Veteran's Hospital on Saturday, June 14<sup>th</sup>, and comments made on the Vietnam era.

ACTING PRESIDENT STERLING: Invitation extended to the free homeowners assistance workshop hosted by the Redevelopment Agency at the Convention Center on Saturday June 14<sup>th</sup>.

COUNCILMEMBER DAGES: Invitation extended to the SEGA meeting this evening at the Convention Center on how southeast Fresno will grow; and congratulations to Councilmember Perea for making the November run-off election for Mayor and good luck wishes extended.

PRESIDENT XIONG: Report on attendance at the Fremont School Family Science Night; report on attendance at the Asian and Pacific Islander American Affairs joint hearing on the impact of the foreclosure crisis on the API community; commendation to Willow International College for co-hosting the Pacific Engagement and Leadership Conference this past weekend; report on attendance at the 18<sup>th</sup> Annual Gay/Lesbian/ Transgender Parade in the Tower District; and commendation to Crime Stoppers on their successful fund-raising event.

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**APPROVE AGENDA:**

**(1-W) BILL NO. B-38 - TEXT AMENDMENT NO. TA-07-03 - AMENDING THE TEXT OF THE ZONING ORDINANCE AND ENVIRONMENTAL FINDINGS, INITIATED BY THE PLANNING & DEVELOPMENT DIRECTOR, RELATED TO A VARIETY OF ISSUES INTENDED TO SIMPLIFY AND STREAMLINE THE ZONING ORDINANCE AND PROPOSING CHANGES AND ADDITIONS TO BEST PROMOTE THE IMPLEMENTATION OF THE GOALS OF THE 2025 GENERAL PLAN (Continue to June 17, 2008)**

Continued as noted.

**(10:00 A.M. #1) ADOPTION OF THE 2008-2013 CITY OF FRESNO GENERAL PLAN HOUSING ELEMENT (Continue to June 17, 2008, at 10:15 a.m.)**

Continued as noted.

**(3:00 P.M. #2) JOINT MEETING WITH THE REDEVELOPMENT AGENCY TO CONSIDER A RESOLUTION CERTIFYING THE SEIR FOR THE OLD ARMENIAN TOWN PROJECT - RELOCATION OF HISTORICAL RESOURCES (Continue to July 15, 2008, at 3:00 p.m.)**

Continued as noted.

**(1-F) RESOLUTION - INTENT TO ANNEX FINAL TRACT NO. 5901, ANNEXATION NO. 32, TO CFD NO. 11, AND SETTING THE PUBLIC HEARING FOR JUNE 24, 2008**

Laid over one week by staff.

**(4:00 P.M.) 2008 CYCLE I TRIMESTER PLAN AMENDMENT HEARING**

**(A) CONSIDERATION OF PLAN AMENDMENT APPLICATION NO. A-07-23, REZONE APPLICATION NO. R-07-81, AND ENVIRONMENTAL FINDINGS, FILED BY WILLARD AND BETTYE EISNER, ON BEHALF OF THE EISNER FAMILY TRUST OF 1982, SOUTHEAST CORNER OF E. SHAW AND N. CHESTNUT AVENUES ADJACENT TO THE WESTBOUND ON-RAMP OF STATE ROUTE 168; ADOPT A MITIGATED NEGATIVE DECLARATION; ADOPT RESOLUTION AMENDING THE FRESNO GENERAL PLAN AND HOOVER COMMUNITY PLAN; AND ADOPT BILL AMENDING THE OFFICIAL ZONE MAP**

Councilmember Caprioglio stated he wanted the hearing continued two weeks so he could obtain additional information and upon his request and by Council consensus the hearing was continued to June 24<sup>th</sup> at 11:00 a.m.

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

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

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**ADOPT CONSENT CALENDAR:**

Barbara Hunt spoke in support of the all the PARCS programs.

Brunette Harris of HEAT for Southwest Fresno stated her opposition to any Consent Calendar item utilizing CDBG funds.

Councilmember Duncan pulled Item **1-A** from the Consent Calendar for separate discussion/action.

**(1-B) RESOLUTION NO. 2008-131** - DEDICATING CERTAIN CITY-OWNED PROPERTY AS AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN THE "N" STREET ALIGNMENT BETWEEN VENTURA AND INYO STREETS

**(1-C) RESOLUTION NO. 2008-132** - DEDICATING CERTAIN CITY-OWNED PROPERTY FOR PUBLIC STREET PURPOSES ALONG THE WEST SIDE OF N. WILLOW BETWEEN E. BEHYMER AND E. COPPER AVENUES

**(1-D) APPROVE THE ACQUISITION OF TWO(2) STREET EASEMENTS FROM PROPERTY OWNED BY SILVA GODOY AND JOHN & MARSHA FRANKIAN FOR PLACEMENT OF TRAFFIC SIGNALS AT THE MARKS/DAKOTA INTERSECTION**  
**1. ADOPT E.A. NO. 2007- DAKOTA AND MARKS, DETERMINATION OF INITIAL STUDY TO FILE A FINDING OF CONFORMITY TO THE GENERAL PLAN MEIR**

**2. AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO ACCEPT THE DEED OF EASEMENT FROM THE PROPERTIES AND EXECUTE THE AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY AND COMPLETE THE ACQUISITION THROUGH ESCROW**

**(1-E) RESOLUTION NO. 2008-133** - 97<sup>TH</sup> AMENDMENT TO THE AAR RE-BUDGETING \$410,000 FOR THE RE-BUDGET OF CAPITAL PROJECTS IN THE PUBLIC WORKS DEPARTMENT THAT WERE PREVIOUSLY APPROVED AND ADDITIONAL ADMINISTRATIVE FEES IN THE IMPACT FEE PROGRAM

**(1-G) APPROVE AN AGREEMENT WITH THE CITY OF CLOVIS FOR CONSTRUCTION AND MAINTENANCE OF MEDIAN ISLAND LANDSCAPING ON WILLOW AVENUE BETWEEN ALLUVIAL AND TEAGUE AVENUES**

**(1-H) RESOLUTION NO. 2008-134** - 96<sup>TH</sup> AMENDMENT TO THE AAR FOR THE RE-APPROPRIATION OF CERTAIN CAPITAL PROJECTS PREVIOUSLY APPROVED IN THE PARCS DEPARTMENT

**(1-I) RESOLUTION NO. 2008-135** - 93<sup>RD</sup> AMENDMENT TO THE AAR RE-BUDGETING \$19,300 OF GRANT FUNDING FOR THE DEPARTMENT OF CONSERVATION BEVERAGE CONTAINER GRANT PROGRAM

**(1-J) RESOLUTION NO. 2008-136** - 94<sup>TH</sup> AMENDMENT TO THE AAR APPROPRIATING \$394,800 IN STATE GRANT FUNDING FOR THE EXPANSION OF MULTI-FAMILY RECYCLING SERVICES

**(1-K) APPROVE AGREEMENT TO REIMBURSE THE CITY OF CLOVIS \$1,152,600 FOR PHASE II OF THE SOUTHERN WATER MAIN INTERCONNECTION**

**(1-L) AWARD CONTRACT IN THE AMOUNT OF \$629,366.84 TO PROMINENT SYSTEMS INC., FOR FABRICATION OF GRANULAR ACTIVATED CARBON VESSEL UNITS FOR WELL SITE IMPROVEMENTS AT PUMP STATION 2B**

**(1-M)** AWARD A ONE-YEAR REQUIREMENTS CONTRACT WITH PROVISIONS FOR TWO ONE-YEAR EXTENSIONS TO VULCAN CONSTRUCTION & MAINTENANCE, INC., IN THE AMOUNT OF \$199,915 FOR WATER SERVICE TRANSFERS

**(1-N)** AWARD A CONTRACT TO BRADLEY & SONS, INC., IN AN AMOUNT NOT TO EXCEED \$240,000 FOR WATER WELL TEST HOLE DRILLING

**(1-O)** AWARD A REQUIREMENTS CONTRACT IN THE AMOUNT OF \$3,546,039 TO MEYERS BROTHERS WELL DRILLING, INC., TO DRILL NEW PRODUCTION WELLS

**(1-P)** APPROVE AMENDMENT NO. 2 TO THE SERVICE AGREEMENT WITH THE NORTH CENTRAL FIRE PROTECTION DISTRICT TO ADDRESS AN MOU FOR RESPONSE TO DISASTERS WITHIN THE CITY OF KERMAN

**(1-Q) RESOLUTION NO. 2008-137** - 95<sup>TH</sup> AMENDMENT TO THE AAR APPROPRIATING \$186,000 FROM THE FY 2006 HOMELAND SECURITY GRANT TO THE FIRE DEPARTMENT TO REIMBURSE THE DEPARTMENT FOR VARIOUS TRAINING PROGRAM EXPENDITURES

**(1-R) RESOLUTION NO. 2008-138** - AUTHORIZING SUBMITTAL OF AN OWNER-OCCUPIED REHABILITATION PROGRAM/FIRST-TIME HOMEBUYER MORTGAGE ASSISTANCE PROGRAM APPLICATION TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR PROPOSITION 1c CALHOME GRANT FUNDS  
1. AUTHORIZE THE PLANNING & DEVELOPMENT DIRECTOR OR DESIGNEE TO SIGN ALL NECESSARY DOCUMENTS FOR PARTICIPATION IN THE CALHOME PROGRAM

**(1-S) RESOLUTION NO. 2008-139** - AMENDING AND SUPERSEDING RESOLUTION NOS. 2005-432 AND 2007-113 AUTHORIZING THE PLANNING & DEVELOPMENT DIRECTOR OR DESIGNEE TO SIGN ALL NECESSARY DOCUMENTS AND AGREEMENTS TO IMPLEMENT THE CALHOME OWNER OCCUPIED REHABILITATION PROGRAM FUNDING FROM THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

**(1-T) BILL NO. B-39** - AMENDING THE FRESNO MUNICIPAL CODE RELATING TO GRAFFITI ABATEMENT

**(1-U) BILL NO. B-35 - ORDINANCE NO. 2008-35** - AMENDING THE FRESNO MUNICIPAL CODE RELATING TO LOCAL SALES AND USE TAXES, PURSUANT TO AN MOU WITH THE COUNTY OF FRESNO

**(1-V) BILL NO. B-36 - ORDINANCE NO. 2008-36** - ADDING TO THE FRESNO MUNICIPAL CODE RELATING TO CONDUCT ON OR ABOUT TRANSIT PROPERTY

On motion of Councilmember Perea, seconded by Councilmember Caprioglio, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

|        |   |  |
|--------|---|--|
| Ayes   | : | Calhoun, Caprioglio, Dages, Duncan, Perea, Sterling, Xiong |
| Noes   | : | None   |
| Absent | : | None   |

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**CONTESTED CONSENT CALENDAR:**

**(1-A)** APPROVE AGREEMENT WITH TAYLOR TETER PARTNERSHIP IN THE AMOUNT OF \$117,338 FOR THE DESIGN OF PLANS AND GENERAL CONSTRUCTION CONTRACT DOCUMENTS FOR IMPROVEMENTS TO AN EXISTING WAREHOUSE LOCATED AT 2481 FOUNDRY PARK AVENUE (FOR FUTURE PROPERTY AND EVIDENCE STORAGE BY THE POLICE DEPARTMENT)

Deputy Chief Enmark responded to questions of Councilmember Duncan relative to a needs assessment for the sheriff's department.

Councilmember Duncan continued and spoke to the meetings he attended and expressed concern with the lack of enthusiasm for consolidation by both the police and sheriff's departments and with being asked to commit a large sum of money for a large facility the city will use for many years without talks with the sheriff's department, and stated it was clear to him there was no interest in consolidation and the whole effort had been a waste of time and further elaborated.

Councilmember Dages stated he concurred with Councilmember Duncan and **(2 - 0)** added the Chamber and city and county elected officials were involved but it seemed to him like the other entities did not care as they were not present this date nor had they made the decision to consolidate, and stated with all the meetings that have been held he was shocked that noting happened and added to move forward on this would be a slap in the face to Council and further elaborated.

Councilmember Calhoun stated he served on one of subcommittees, there was give and take and the city took a leadership role, and a number of good meetings were held; stated what was before Council this date was an example of cooperative efforts; acknowledged this was difficult for the County but stated leadership begins somewhere; gave credit to the Chamber for "forcing" the issue and added he appreciated the efforts of the police department for having experts there every step of the way; stated to withdraw support would be counter-productive and a split vote would send a message of doubt; and stated he wished the County was moving faster and encouraged Council's support and made a motion to approve staff's recommendation, which motion was seconded by Acting President Sterling.

President Xiong stated as Council President he had the opportunity to be a member of the JPA and thanked everyone who got the JPA started, stated the city-county relationship was important and needed to continue because of the JPA, and presented questions and comments relative to whether the police department needed this facility today whether or not the county joined in, if the department would realize some cost savings and better efficiency, and there still being a caveat to continue dialog with the county on participation and need to continue with this process, with DC Enmark responding throughout. Acting President Sterling stated she sat on the joint prisoner processing committee and visited the facilities and learned about the process, and stated the city needed to take responsibility to move forward on these types of issues as this was the right thing to do and this would benefit the entire county.

On motion of Councilmember Calhoun, seconded by Acting President Sterling, duly carried, RESOLVED, the subject agreement with Taylor Teter Partnership as outlined above hereby approved, by the following vote:

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

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**(9:00 A.M.) PUBLIC COMMENT PERIOD - UNSCHEDULED ORAL COMMUNICATIONS:**

Margie Haymon, HEAT for Southwest Fresno, spoke in opposition to using any CDBG for any city project and questioned where funds allocated for southwest Fresno were.

Brunette Harris, HEAT for Southwest Fresno, stated she would bring forth information next week to President Xiong on redevelopment issues for a response as the city attorney had not responded, and expressed concerns relative to southwest Fresno not receiving their CDBG dollars, not having Council representation, and not being notified or involved in development plans.

Sherrie Smith, 4724 W. Swift, spoke to fire and flame being the third leading cause of unintended injury-related death among children ages 14 and under and to the need to save Fire Station 16 in the Ashlan Cornelia corridor.

Barbara Hunt spoke to enterprise departments and city boundaries.

Rick Smith spoke to a neighbor's fire he assisted with, to the importance of response time and the tragedy that could have occurred without a nearby fire station, and to the need to keep Fire Station 16 at its present location.

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**(9:30 A.M. "A") APPROVE CONTRACT WITH THE FRESNO UNIFIED SCHOOL DISTRICT PROVIDING FOR JOINT USE OF DISTRICT HIGH SCHOOL ATHLETIC FACILITIES RUNNING THROUGH DECEMBER 31, 2025**

ACM Rudd reviewed the issue, all as contained in the staff report as submitted, and recommended approval.

Speaking in support of the contract were Kay Bertken, CAC member appointed by the Fresno Unified Board of Trustees; and Joe Herzogg, 822 S. Claremont, member of the Fresno Unified Facilities Ad Hoc Committee.

FUSD representative Lisa LeBlanc responded to questions and comments of Councilmember Duncan relative to whether the new pool for Bullard High was still part of the plan, Clovis Unified allowing access to their school fields and if Fresno Unified does that, need for Fresno Unified to open school sites so kids have a place to play besides the street, and children being deprived of fun and exercise and expectation to see progress made in the direction of open sites before supporting any more joint efforts. A motion and second was made to approve the contract. Mr. Rudd added the projects outlined in the agreement were subject to CEQA review. President Xiong commended the speakers for their work and input along with the community and stated he wholeheartedly agreed with Councilmember Duncan on the need to open school fields.

On motion of Councilmember Duncan, seconded by President Xiong, duly carried, RESOLVED, the subject agreement with the Fresno Unified School District hereby approved, including the allocation of \$2 million in park bond funds to specific facility improvements detailed in the staff report, by the following vote:

|          |  |
|----------|--|
| Ayes :   | Calhoun, Caprioglio, Dages, Duncan, Perea, Sterling, Xiong |
| Noes :   | None   |
| Absent : | None   |

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**RECESS - 9:55 A.M. - 10:04 A.M.**

**(10:00 A.M. #2) WORKSHOP ON THE RESIDENTIAL METER IMPLEMENTATION PLAN**

Assistant PUD Director Gaddy gave an in-depth PowerPoint presentation on the plan which included Workshop Goals, Residential Meter Plan Overview, Background Legislation & Contracts, Components of a Metered Residence, Current Status of Residential Meters, Meter Reading Methodology (Touch, Mobile/"Drive By" and Fixed Network systems), Cost Impact of Components, Cost Comparisons, Staffing Comparison **(3 - 0)**, Operational Impact Pros and Cons, Soft Benefits of the Fixed Network System and Mobile System, Recommendations, Deployment Timeline, and Next Steps.

Lengthy discussion ensued with Mr. Gaddy and Assistant Director Martin responding to numerous questions and/or comments of Councilmembers Calhoun and Dages, and/or clarifying issues relative to what conservation benefits will be derived from meters, number of gallons that will be saved, where meter boxes will be located, how standardized the process will be, cost/funding/bonding and if there will be an initial cost to the homeowner, what will happen to homes that already have meters, if other cities have used the automatic system, opposition to gas meters, if Mobile and Fixed Network were both automated systems, clarification made on repayment of bonds and there being flexibility if Council wants a different repayment plan, commercial meters including how often they are read, if commercial meters will have to be changed if the city goes with Fixed Network, if existing residential meters will have to be replaced, what cost savings consumers will realize with meters, Leaky Acres capacity, if the cost for monthly billing has been taken into consideration, need to use the best technology if Fixed Network is used for savings in the long run, and why a comparison is needed if Fixed Network is the best way to go. There was no further discussion.

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The City Council recessed at 11:03 a.m. and convened in joint session with the Redevelopment Agency.

**(11:00 A.M. #1) JOINT MEETING WITH THE REDEVELOPMENT AGENCY:**

APPROVE AGENCY MINUTES OF JUNE 3, 2008

On motion of Acting President Sterling, seconded by Councilmember Dages, duly carried, RESOLVED, the Agency minutes of June 3, 2008, approved as submitted.

**(‘A’) JOINT RESOLUTION NO. 2008-140/1720 - MAKING CERTAIN FINDINGS PURSUANT TO COMMUNITY REDEVELOPMENT LAW, AND AUTHORIZING THE AGENCY’S INSTALLATION OF PUBLIC IMPROVEMENTS IN CEDAR AVENUE GENERALLY BETWEEN MUSCAT AND MALAGA AVENUES**

**1. AWARD A CONTRACT IN THE AMOUNT OF \$332,190 TO KELLY C. BROYLES CONSTRUCTION, INC., FOR EXTENSION OF THE 14-INCH TRANSMISSION GRID WATER MAIN (Agency Action)**

**(4 - 0)** Executive Director Murphey reviewed the issue, all as contained in the staff report as submitted, and recommended approval. Councilmember Dages commended staff on a great job and made a motion to approve.

On motion of Councilmember Dages, seconded by Acting President Sterling, duly carried, RESOLVED, the above entitled Joint Resolution No. 2008-140/1720 hereby adopted, and the above contract with Kelly C. Broyles awarded by the Agency, by the following vote:

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

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The joint bodies adjourned their meeting at 11:08 a.m., the City Council reconvened in regular session, and President Xiong reminded Council of the PBID workshop from 2-3 p.m. in the Council Chamber for those interested.

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**(11:00 A.M. #2) CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL/EXISTING LITIGATION - CASE NAME: LILIANA TORRES, ET AL., V. COF, ET AL.**

The City Council met in closed session in Room 2125 at the hour of 11: 09 a.m. to consider the above issue and recessed for lunch thereafter.

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**LUNCH RECESS - 11:15 A.M. - 3:00 P.M.**

**(3:00 P.M.) CONTINUED CONSIDERATION OF THE FY 2009 CITY OF FRESNO BUDGET**

Councilmember Calhoun spoke to Sports Town being budgeted for \$3.9 million stating he had no idea Council would be looking at that kind of investment, stated all he sees at night are lights in the trees but no people and felt this additional investment had not been flushed out, and stated the city needed to let the private sector build downtown, he felt the two new incoming council members and new mayor should decide where downtown is going, he was prepared to park these funds but not approve the allocation adding maybe the new administration will, and made a motion to place the funds into contingency. Upon question of Councilmember Dages, City Manager Souza explained how a loan would be moved into contingency.

**MOTION - Calhoun/Dages - Place the \$3.9 million for Sports Town into contingency**

City Manager Souza noted Sports Town had two components and explained the \$400,000 in the general fund was for a continuation of the Kern Street promenade and the \$3.5 million was the same money that was in last year’s budget for the potential acquisition of the Gottschalks building or other key buildings consistent with what is going on with Forest City. Councilmember Dages spoke to the Section 108 loan repayment and stated the reason he seconded the motion was he felt CDBG was the wrong funding source for Sports Town and elaborated.

1. PARCS DEPARTMENT
2. ECONOMIC DEVELOPMENT DEPARTMENT

**PARKS, AFTER SCHOOL, RECREATION & COMMUNITY SERVICES DEPARTMENT**

PARCS Director Cooper thanked City Manager Souza, Budget Manager Smith and the Mayor for his budget and gave a PowerPoint presentation which included Division Accomplishments, PARCS Gate Fee Revenue, General Fund Revenue, Service Contracts, 2007-2008 Grant Awards, Two Year Look at Grant Awards, New Facilities, and 2007-2008 Cultural and Community Events including economic impact and anticipated growth.

Speaking to the PARCS budget and the Economic Development Department budget were: Bill Celaya, speaker/coordinator for the Retired Senior Volunteer Program (RSVP), in support of program funding; Doug Reitz, Co-Chair of the Regional Jobs Initiative (RJI) Construction Cluster, Ian Duffield, Chief Operating Officer of Decipher, member of the Technology Task Force and Chairman & Founder of the Software Cluster, Ray Dunn, Chair of the Manufacturing Cluster and Chairman of the Chamber of Commerce, and Ken Newby, who also submitted written material into the record, all in support of funding the RJI; and Craig Scharton, CEO of the Central Valley business Incubator, who spoke to the partnership the CVBI would like to have with the city.

Mr. Cooper and City Manager Souza responded briefly to questions of Councilmembers Dages and Perea relative to whether revenue generated by the department stayed in the department, the Arts/Sports/Entertainment surcharge, and outcome of the meeting on additional dog parks. Councilmember Dages commended Mr. Cooper for "thinking so far out of the box" and for all has done since he came on board.

Lengthy discussion ensued with Mr. Cooper, Mr. Souza and Assistant Director Haynes responding to questions and comments of Acting President Sterling at length relative to whether the budget provided for needed staffing, what the top three needs were and if they were included, if enough funds were budgeted for events and activities, multi-year projects and implementation status, **(5 - 0)** how neighborhoods are informed of activities and programs in their areas, how the community is informed of changes, if services are provided to areas that do not have community centers or parks nearby and if schools and churches are utilized, what services are provided at the Hinton Center and what parts of the center does the city utilize, status of and plan for the burned tot lot, status of the Connect Labs and request staff provide information to Council, status of Palm Lakes, number of tot lots with shade coverings, if a CIP plan was in place, if there was a general fund category for new projects that may come up, if it was possible to make reference to financial contributions, the Mayor's Job Initiative and request information be provided to Council, request for a detailed report on the United Way Grant Program, request for a written response to Frank H. Ball Playground concerns, the EOC center and community concerns, status of the Dickey Playground Center, status of the EOC center and completion date, and if information will be provided to the community on the opening of the EOC center and services that will be provided.

Mr. Cooper, Mr Souza and SPCA Director Norm Minson responded to questions and comments of Councilmember Calhoun relative to Fig Garden park timeline and budgeted funds, the paintball facility including it being an inappropriate activity for the city's PARCS department/status of the facility/and request for a Council vote before the facility moves forward, and the SPCA and animal control including the city taking over rabies control, if the contract was set, upgrading the software system to track dog licenses and enforcement of leash laws, and the need to take care of animals.

Councilmember Duncan stated, with Mr. Souza's confirmation, that \$3.2 million was anticipated to be generated by the department and the department's budget was \$23 million therefor the \$3.2 million anticipated to be generated would go back into the department along with almost \$20 million more. Councilmember Duncan continued and spoke to the BMX bike track and expressed concern with hearing of the proposal that would allow access to the track only to those who pay a \$40 to \$50 membership fee and questioned the status of that, noted \$40 million of taxpayer dollars were being used to upgrade facilities and to have the BMX track beyond the scope of some people was not right, stated he would oppose a membership fee and reiterated taxpayers provide for these amenities, and stated the issue of revenue generation was getting out of hand and forcing people to join an outside agency for membership was over the top; and relative to the United Way grant program stated it was very successful and explained. Relative to the BMX track Mr. Souza stated that issue would be discussed later in more detail and advised there were significant liability issues associated with the use of that park such as steep hills, etc., and the issue was finding how to balance liability with the public investment made and not creating a private use of a significant part of the park.

Discussion continued with Mr. Souza responding to a question of Councilmember Caprioglio relative to Revenue Fund Credit, and along with ACM Rudd and Mr. Cooper responded to numerous questions of President Xiong at length relative to green space growth, how much staff has been added, if there was any reduction in temporary employees to balance the budget, if any temps have been let go as of yet, if maintaining staff has already been discussed, rental of facilities, if facilities can be rented for business opportunities, rental charges, amphitheater charges, if rent comparisons have been done, number of events anticipated at the amphitheater this year, when an analysis on true costs will be done, marketing the facilities and if

discussions with the Convention & Visitors Bureau (CVB) have occurred,

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the Sports Council (**6 - 0**), activities with school districts and if Central Unified has expressed any interest, what improvements were left for Quigley and Lions parks and request an update be provided on remaining work, number of cement skate parks, number of ramp skate parks, staffing at skate parks, and what outreach was being done to inform the community that trout fishing was coming to Fresno. There was no further discussion.

## **ECONOMIC DEVELOPMENT DEPARTMENT**

Economic Development Director Johnson gave a PowerPoint presentation on his department's budget which included FY 2008 Major Accomplishments, Business Retention & Expansion Program, Business Attraction, Economic Development Strategic Plan, Business Start Up & Entrepreneurship, Project Shepherding, and the Business Called "SHOW" - Fresno Film & Entertainment Commission.

**\*Note** - Persons speaking to the Economic Development Department's budget were heard earlier in the meeting during the PARCS budget along with those speaking to PARCS.

Mr. Johnson responded to questions and comments of Councilmember Duncan relative whether funds were budgeted for the International Commercial Shopping Center (ICSC) conference, retail being the last thing the city needs and why staff was not attending trade shows supporting job training or the clusters, the scarce resources available and it making no sense to spend money on retail when the city is in dire need of jobs, if the Economic Development Corp. (EDC) was being funded in the same amount, the film commissioner being redundant with Fresno County and causing confusion, and the city's connection with the film industry ending when Mayor Autry leaves.

## **MOTION - Duncan/Caprioglio - Defund the City Film Commissioner position**

Councilmember Duncan spoke to the Regional Jobs Initiative and his observation over the past five years and stated he was disappointed with one thing -- the honesty of the organization in terms of creating 30,000 net new jobs and explained, and added the unemployment problem did not start overnight and would not be solved overnight. Upon his question City Manager Souza advised the Central Valley Business Incubator (CVBI) did make a request for funding but it did not include a business plan whereupon Councilmember Duncan stated he was not surprised they were not receiving funding as they should have known the value of putting together a basic business plan as they teach their clients. Councilmember Duncan commended Mr. Johnson stating he was doing a good job but needed more resources and added he felt the next administration would make those resources available as both candidates for mayor understood the need for economic development.

At this point budget proceedings were briefly interrupted to address the 4:00 p.m. item.

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## **(4:00 P.M.) 2008 CYCLE I TRIMESTER PLAN AMENDMENT HEARING:**

**(B')** CONSIDERATION OF PLAN AMENDMENT APPLICATION NO. A-08-01, REZONE APPLICATION NO. R-08-01, AND ENVIRONMENTAL FINDINGS, FILED BY BKM PARTNERS AND SKN PROPERTIES, ON BEHALF OF CRIS AND DON PILEGARD, NORTHEAST AND SOUTHEAST CORNERS OF S. CLOVIS AND E. CALIFORNIA AVENUES

1. ADOPT A MITIGATED NEGATIVE DECLARATION FOR E.A. NO. A-08-01/R-08-01, DETERMINATION OF INITIAL STUDY TO FILE A MITIGATED NEGATIVE DECLARATION
2. RESOLUTION - AMENDING THE FRESNO GENERAL PLAN AND THE ROOSEVELT COMMUNITY PLAN
3. BILL - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM AE-20/UGM TO C-1/UGM FOR THE NORTHWEST 6-ACRE PORTION OF THE PROPERTY, TO C-P/UGM FOR THE SOUTHWEST 2-ACRE PORTION OF THE PROPERTY, AND TO R-1/UGM FOR THE 8 ACRES ON THE EAST SIDE OF THE PROPERTY ON BOTH SIDES OF E. CALIFORNIA AVENUE

President Xiong advised he just received word the developer and staff were requesting the hearing be continued and questioned what the prerogative was of Council. Councilmember Duncan briefly left the meeting at 4:55 p.m. Councilmember Dages stated he saw no reason to continue the hearing as the project was set to go, and upon his question Planning Manager Haro advised staff received a written letter in opposition to the project which he felt needed to be addressed as CEQA was involved and recommended a continuance so staff could review and address the concerns. Brief discussion ensued on a date with Mr. Haro recommending the matter be continued to June 24<sup>th</sup> along with Item "A" but clarified this one may take longer and could possibly go into July.

151-190

06/10/08

On motion of Councilmember Dages, seconded by Acting President Sterling, duly carried, RESOLVED, the above entitled Hearing on Plan Amendment Application No. A-08-01/Rezone Application No. R-08-01 continued to June 24, 2008, at 11:00 a.m., by the following vote:

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

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**ECONOMIC DEVELOPMENT DEPARTMENT - Continued**

Councilmember Duncan returned to the meeting at 4:58 p.m. Mr. Johnson and Retention/Expansion Manager Schwamb responded to questions and comments of Acting President Sterling at length relative whether his budget provided for adequate staff, what the top three needs were and if they were included, multi-year projects and implementation status, thank you to Mr. Johnson for working with the Downtown Association on the PBID, number of project managers in the department, current number and type of projects currently being shepherded, commendation on the Wilson Motorcycle relocation project, what kind of return was being seen on projects, the film commissioner being a great asset to groups and the community, how the filming of Indiana Jones benefitted the community, what was happening with the film commission, improvements made at Chandler and Chandler generating revenue in the entertainment industry and general fund, what kind of return was being seeing by attendance at the ICSC conference, local conventions and regional events, the owner of Fig Garden Village highlighting Fresno in their conference display and pointing out the need to emphasize Fresno's beauty and not gangs, the MRZ program including how it was working/who has benefitted/if any changes were needed, and support for what the department is doing and comments on the need to run the city as a business and balance housing and jobs.

President Xiong advised some members had prior commitments and consideration of Economic Development's budget was continued to Thursday, June 12<sup>th</sup> at 8:30 a.m.

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Mr. Rudd responded briefly to a question of Councilmember Calhoun on fuel prices, and President Xiong adjourned the meeting to Thursday, June 12, 2008, at 8:30 a.m., for continued consideration of the FY 2009 Budget.

**ADJOURNMENT**

There being no further business to bring before the City Council, the hour of 5:22 p.m. having arrived and hearing no objection, President Xiong declared the meeting adjourned.

**Approved** on the \_\_\_17th\_\_\_ day of \_\_\_June\_\_\_, 2008.

\_\_\_\_\_/s/\_\_\_\_\_/ ATTEST: \_\_\_\_\_/s/\_\_\_\_\_

Blong Xiong, Council President

Yolanda Salazar, Assistant City Clerk