



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 the Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno CA 93721.

March 11, 2008

8:30 A.M. ROLL CALL

Invocation by Pastor Shane Hamm of the Northpoint Church

Pledge of Allegiance to the Flag

Ceremonial Presentation:

Proclamation of "EFREN "CHICO" LOPEZ DAY" – Mayor's Office – **Read and presented**

Presentation of Commendations to Edison High School's Academic Decathlon Team – Mayor Autry and Councilmember Sterling - **Presented**

Proclamation of "NOROUZ DAY" – Councilmember Sterling – **read and presented**

Proclamation of "MEDIATION WEEK" – Councilmember Perea – **To be rescheduled**

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 March 4, 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** – 7th amendment to Salary Resolution 2007-217 modifying the status and probationary periods for the classifications of Executive Assistant to Department Director in Exhibit 2 Non-Represented Classes and Communication Technician I in Exhibit 1 Non-Supervisory Blue Collar Employees (Local 39) – Personnel Services Department
Action Taken: Resolution No. 2008-43 adopted
- B. * Approve interim extensions of the existing contracts with Valley Staffing and Act-1 Personnel Services for a period of sixty (60) days to continue to provide temporary employment services for the City of Fresno – Personnel Services Dept.
Action Taken: Approved
- C. * Approve the agreement with the National Association of County and City Health Officials (NACCHO) for the acceptance of a \$5,000 grant award to support program enhancements to the Fresno Police Department's Medical Reserve Corps Program – Police Dept.
Action Taken: Approved
- D. * Authorize the Chief of Police to renew a lease agreement between the City of Fresno ("lessee") and Rush Properties, a California General Partnership ("lessor") for office space at 3030 N. Maroa Avenue (entire second floor) in Fresno, California, 93704, for the Police Department's Patrol Support Division – Police Department
Action Taken: Authorized
- E. **RESOLUTION** - Dedicating certain City-owned property for public street purposes, property located east of Fowler Avenue and south of Hamilton Avenue (***Property located in District 5***) – Public Works Department
Action Taken: Resolution No. 2008-44 adopted
- F. **RESOLUTION** - Dedicating certain City-owned property for public street purposes, property located along Whitesbridge Avenue between West Avenue and Stanislaus Avenue (***Property located in District 3***) - Public Works Department
Action Taken: Resolution No. 2008-45 adopted

1. **CONSENT CALENDAR CONTINUED**

- G. * Award a contract in the amount of \$107,999 to V & G Builders, Inc. of Fresno, Safe Routes to School for construction of concrete sidewalks in Harvey Avenue and Fifth Street (*Property located in District 7*) - Public Works Department
Action Taken: Awarded

- H. Annual update of priority ranking lists for new traffic signal installations, traffic signal left turn phasing and intersection traffic flow improvements – Public Works Department
Action Taken: Received

- I. * Approve an agreement with San Joaquin River Conservancy in the amount of \$160,000 for project management and consulting services for the preparation of an environmental assessment and public participation for the future extension of the Lewis S. Eaton Trail - PARCS
Action Taken: Approved

- J. * **BILL NO. B-14 - (Intro. 3/4/2008) (For adoption)** – Approving the 2008 Weed Abatement Program – Planning and Development Dept.
Action Taken: Ordinance No. 2008-17 adopted

CONTESTED CONSENT ITEMS (IF ANY)

CLOSED SESSION

- A. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)
 - 1. **Case Name:** Karen Boquist v. City of Fresno, et al. Fresno County Superior Court Case No.: 07CECG03280
Action Taken: Held

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

- 9:15 A.M. **CITY COUNCIL**
 - A. Direct staff to research an addendum to the existing solicitation ordinance to prohibit the dangerous practice of solicitation on median islands within the City of Fresno - Councilmember Calhoun
Action Taken: Discussed and tabled two weeks for Police Department input

 - B. **RESOLUTION** - Supporting Assembly Bill 2342 (Parra) California Partnership for the San Joaquin Valley – Council President Xiong
Action Taken: Resolution No. 2008-46 adopted

9:15 A.M.

CITY COUNCIL CONTINUED

- C. Direct City Manager to return with an amendment to the Annual Appropriation Resolution freezing funding related to expenditures for contracts not yet specifically awarded on Park's projects funded by appropriations already approved by Council and anticipated to be paid from future bond proceeds in accordance with Resolution 2006-541, and (Councilmembers Duncan and Westerlund)
Action Taken: Discussed/no action taken
1. Direct the City Attorney to draft an ordinance that would prohibit expenditures on anything that is expected to be reimbursed in accordance with a reimbursement resolution and a future bond transaction other than the administrative cost of bond preparation with the exception of a state of emergency declaration
Action Taken: Failed
- D. **RESOLUTION** - In support of the National Parks Centennial Initiative and maintaining and preserving America's National Parks – Councilmember Perea
Action Taken: Rescheduled for 3/25/2008

9:30 A.M.

GENERAL ADMINISTRATION

- A. Proposed Huntington Boulevard monument modification – City Attorney's Office
Action Taken: Modification authorized/names to be added
- B. Documents pertaining to Council of Fresno County Governments 2008 Regional Surface Transportation Program (RSTP) "Call for Projects" – Public Works Department and Transportation Department
1. **RESOLUTION** - Authorizing the submission of applications for and acceptance of the Council of Fresno County Governments 2008 Congestion Mitigation and Air Quality Improvement Program (CMAQ) "Call for Projects" and authorizing the execution of documents by the Public Works and Transportation Directors or designee
Action Taken: Resolution No. 2008-47 adopted
2. **RESOLUTION** - Authorizing the submission of applications for and acceptance of the Council of Fresno County Governments 2008 Regional Surface Transportation Program (RSTP) "Call for Projects" and authorizing the execution of documents by the Public Works and Transportation Directors or designee
Action Taken: Resolution No. 2008-48 adopted
- C. * **RESOLUTION** - 66th amendment to AAR No. 2007-214 appropriating \$7,731,100 in Proposition 1B funds for the completion of new and previously approved capital projects in the Public Works Department (*Requires 5 affirmative votes*)
Action Taken: Resolution No. 2008-49 adopted
- D. Update to City Council regarding the Southeast Growth Area (SEGA) Specific Plan alternative scenarios subsequent to review with Mayor, City Manager and SEGA Advisory Committee – Planning and Development Dept.
Action Taken: Update given
- E. **BILL – (For introduction)** - Amending Sections 12-1710 and 12-1711 of the Fresno Municipal Code related to portable signs – Planning and Development
Action Taken: Discussed and tabled 30 days

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

10:00 A.M. **HEARING** to consider Rezone Application No. R-07-74-A, and environmental findings, filed by Michael L. Thomason, pertaining to approximately 8.5 acres of property located on the southeast corner of West Herndon and North Blythe Avenues and to consider appeal of the Director's decision regarding the addressing of the Central California Blood Center (*Property located in District 2*) – Planning and Development Dept.

Action Taken: **Held**

a. Consider and adopt Environmental Assessment No. R-07-74/S-08-03, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan

Action Taken: **Adopted**

b. **BILL** – Amending the Official Zone Map to rezone the subject property from the AE-/UGM(Exclusive Five Acre Agricultural/Urban Growth Management) zone district to the C-P/EA/UGM/cz (Administrative and Professional Office/Expressway Area Overlay/Urban Growth Management/conditions of zoning) zone district

Action Taken: **Bill No. B-18/Ordinance No. 2008-18 adopted**

c. Consideration of an appeal of the Director's decision regarding the addressing of the Central California Blood Center, requesting a Herndon Avenue address

Action Taken: **Appeal upheld**

10:15 A.M. **HEARING** to consider adoption of resolutions designating properties to the Local Register of Historic Resources – Planning and Development Dept.

Action Taken: **Held**

a. * **RESOLUTION** – Adopting designation of the (former) Santa Fe Land Improvement Company Boarding House located at 209 N. Diana Street to the Local Register of Historic Resources (*Property located in District 3*)

Action Taken: **Resolution No. 2008-50 adopted**

b. * **RESOLUTION** – Adopting designation of the Gustav and Edith Manheim Home located at 617 E. Pine Avenue to the Local Register of Historic Resources (*Property located in District 1*)

Action Taken: **Resolution No. 2008-51 adopted**

c. * **RESOLUTION** – Adopting designation of the Floyd W. Cowan Home located at 642 E. Weldon Avenue to the Local Register of Historic Resources (*Property located in District 1*)

Action Taken: **Resolution No. 2008-52 adopted**

d. * **RESOLUTION** – Adopting designation of the W. P. Stanton Home located at 650 E. Weldon Avenue to the Local Register of Historic Resources (*Property located in District 1*)

Action Taken: **Resolution No. 2008-53 adopted**

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

10:30 A.M. SPECIAL MEETING/JOINT MEETING OF THE FRESNO JOINT POWERS FINANCING AUTHORITY AND THE CITY OF FRESNO

- A. Review appointments of Board members to the Fresno Joint Powers Financing Authority by City Manager (*Authority action*)
Action Taken: Reviewed
- B. Election of Fresno Joint Powers Financing Authority Chairperson and election of Fresno Joint Powers Financing Authority Vice-Chairperson (*Authority action*)
Action Taken: President Xiong elected Chair and Councilmember Westerlund elected Vice-Chair
- C. * **RESOLUTION** – Authorizing the issuance and sale of Lease Revenue Refunding Bonds (Master Lease Projects) Series 2008A (Tax Exempt) and series 2008B (Federally Taxable) in a principal amount not to exceed an aggregate \$45 million; authorizing the execution and delivery of a Master Trust Agreement, a Master Facilities Lease, a Master Facilities Sublease, an Escrow Agreement, a Bond Purchase Contract and an Official Statement and authorizing the taking of all necessary actions relating to the issuance of the bonds (*Authority action*) - Finance Department
Action Taken: JPFA Resolution No. 24 adopted
- D. **RESOLUTION** – Approving the issuance by the Fresno Joint Powers Financing Authority of Lease Revenue Refunding Bonds in a principal amount not to exceed an aggregate \$45 million; authorizing the execution and delivery of a Master Facilities Lease, a Master Facilities Sublease, a Bond Purchase Contract, an Official Statement and a Continuing Disclosure Certificate; and authorizing execution of documents and the taking of all necessary action relating to the financing (*Council action*)
Action Taken: Resolution No. 2008-54 adopted

ADJOURN SPECIAL/JOINT MEETING OF AUTHORITY AND CITY

11:00 A.M. JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of February 5, 26, and March 4, 2008

Action Taken: Approved

- A. Consider awarding the contract to the lowest responsible bidder for the removal and disposal of all lead-containing paint & asbestos at 450 "M" Street, Fresno, CA 93721 (*Agency action*)
Action Taken: Awarded as recommended

RECESS AGENCY TO 3:00 P.M.

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 March 25, 2008, at 11:00 A.M.*)
Action Taken: Continued as noted

ADJOURN AGENCY

SCHEDULED COUNCIL HEARINGS AND MATTERS

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|------|------|------------|---|
| Mar. | 18 - | | NO MEETING – EASTER BREAK |
| Mar. | 25 - | 10:00 A.M. | HEARING for the vacation of Fulton Lane between Broadway and Fulton Streets and the Broadway-Fulton/Broadway-Divisadero alley between Fulton Lane and Yosemite Avenue – R.I. No. 1063D |
| Mar. | 25 - | 10:15 A.M. | JOINT MEETING WITH THE RDA – Introduction of the Universal Design Ordinance – Councilmember Sterling |
| Mar. | 25 - | 10:30 A.M. | HEARING re: Rezone Application No. R-07-12, filed by The McCaffrey Group on behalf of Harry and Jill Pascuzzi |
| Mar. | 25 - | 10:45 A.M. | HEARING re: Rezone Application No. R-04-26, filed by Thurston Hadley |
| Mar. | 25 - | 11:00 A.M. | JOINT MEETING WITH THE RDA – Consider adoption of Agency resolution certifying Subsequent Environmental Impact Report (SEIR) SCH # 2003051046 for the Old Armenian Town Project-relocation of historical resources |
| Mar. | 25 - | 5:30 P.M. | CONTINUED HEARING re: Hacienda Conversion project |
| Apr. | 1 - | 10:00 A.M. | HEARING re: UUD No. FRE-91 (Willow Avenue south of Nees Avenue across APN 404-481-18) |
| Apr. | 1 - | 10:15 A.M. | HEARING re: Rezone Application No. R-08-04, filed by the City of Fresno |
| Apr. | 8 - | 8:30 A.M. | 1st Quarter “Make a Promotion a Commotion” Ceremony (Reception immediately following – 2nd floor foyer) |
| Apr. | 15 - | 8:30 A.M. | Presentation of P.R.I.D.E. Team Certificates for the Spring Quarter (Reception immediately following – 2nd floor foyer) |
| Apr. | 15 - | 10:00 A.M. | HEARING re: General Plan Amendment No. A-08-02, Rezone Application No. R-08-02, CUP No. C-08-02, filed by LREG, Inc. on behalf of the City of Fresno (Legacy Project) |
| Apr. | 15 - | 10:15 A.M. | Consider and provide direction on proposed Blueprint scenarios – Barbara Goodwin, Executive Director of COG |
| Apr. | 22 - | | NO MEETING – COUNCIL RECESS |
| Apr. | 30 - | 2:00 P.M. | (WEDNESDAY) Presentation of Employee Service Awards (Council Chambers) – (Reception immediately following – 2nd floor foyer) |