



City Council Agenda

Council President
Blong Xiong

Councilmembers

Brian Calhoun, Ph.D.
Paul Caprioglio
Mike Dages

Jerry Duncan
Henry T. Perea
Cynthia A. Sterling – Acting President

City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klish, 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.

July 22, 2008

8:30 A.M. ROLL CALL

Invocation by Rabbi Zirkind of the Chabad of Fresno

Pledge of Allegiance to the Flag

Ceremonial Presentation

2nd Quarter "Make a Promotion a Commotion" Ceremony (*Reception immediately following – 2nd floor foyer*) - Held

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 July 15, 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** - Approving the summary vacation of a portion of the water main easement at the northwest corner of Cedar and Nees Avenues (*Property located in District No. 6*) – Public Works Dept.
Action Taken: Resolution No. 2008-178 adopted
- B. Award a requirements contract to Asphalt Maintenance Co. of California for the amount of \$1,752,316.00 for the application of slurry seal on various City streets – Public Works Department
Action Taken: Awarded
- C. * **RESOLUTION** - 2nd amendment to AAR No. 2008-162 appropriating \$6,342,600 in Federal and State grants to construct traffic signal synchronization improvements (*Requires 5 affirmative votes*) – Public Works Dept.
Action Taken: Resolution No. 2008-179 adopted
- D. ITEM REMOVED FROM THE AGENDA
- E. * Approve first amendment to agreement with Provost & Pritchard Engineering Group Incorporated, to expand engineering services to include the design of an onsite spill basin, feasibility study for a hydropower generation plant, and Site Master Plan for the Surface Water Treatment Facility – Dept. of Public Utilities
Action Taken: Approved
- F. Authorize a joint agreement and acceptance of the Byrne Justice Assistance Grant Program from the U.S. Department of Justice, Bureau of Justice for \$155,907 for the City and the County of Fresno, and the execution of all related documents – Police Department
Action Taken: Authorized
- G. * Approve and authorize the Police Chief to enter into gang prevention service contracts with 1) Assessment, Training & Research Associates for clinical assessments for an amount not to exceed \$93,600 per year; 2) Comprehensive Youth Services of Fresno, Inc., for clinical assessments for an amount not to exceed \$46,800 per year; and 3) Clinical Consultants for clinical assessments for an amount not to exceed \$46,800 per year – Police Department
Action Taken: Approved

1. **CONSENT CALENDAR CONTINUED**

- H. * **RESOLUTION** - 1st amendment to PAR No. 2008-163 adding nine (9) positions to the Police Department for active monitoring of video policing cameras – Police Department
Action Taken: Resolution No. 2008-180 adopted
- I. Authorize acceptance of the grant award of \$400,000 from the Governor's Office of Emergency Services (OES) Cal-Grip, Gang Reduction, Intervention and Prevention Program and authorize the Chief of Police to enter into and execute the agreement, all required program documents – Police Department_
Action Taken: Authorized
1. * **RESOLUTION** – 2nd amendment to PAR No. 2008-163 adding two (2) permanent part-time Staff Assistant positions
Action Taken: Resolution No. 2008-181 adopted
- J. Approve the reappointment of Shari Boggess to the Civil Service Board – Mayor's Office
Action Taken: Approved
- K. * Award a contract in the amount of \$127,616.28 to Kayco Composites, LLC of Grande Prairie TX to furnish and install an ice floor cover at Selland Arena – General Services Department
Action Taken: Awarded
- L. * **RESOLUTION** - 3rd amendment to AAR No. 2008-162 appropriating \$160,000 in the Parks, After School, Recreation and Community Services Department (PARCS) for the preparation of an environmental assessment and public participation for the future extension of the Lewis S. Eaton Trail **(Requires 5 affirmative votes)** - PARCS
Action Taken: Resolution No. 2008-182 adopted
- M. * Approve consulting agreement with Blair, Church, and Flynn to provide professional civil engineering consulting services on demand for the Department of Airports in an amount not to exceed \$150,000 – Airports Department
Action Taken: Approved
- N. * Approve consulting agreement with DPG Engineering, Inc to provide professional electrical engineering services on demand for the Department of Airports in an amount not to exceed \$100,000 – Airports Department
Action Taken: Approved
- O. * Approve consulting agreement with Kleinfelder West to provide professional quality assurance testing and inspection services on demand for the Department of Airports in an amount not to exceed \$150,000 – Airports Dept.
Action Taken: Approved
- P. * Approve consulting agreement with BSK and Associates to provide quality assurance testing and inspection services on demand for the Department of Airports in an amount not to exceed \$150,000 – Airports Dept.
Action Taken: Approved
- Q. Approve Side Letter of Agreement with International Union of Operating Engineers, Stationary Engineers, Local 39 (L39), providing vacation days in resolution of a Memorandum of Understanding (MOU) reopener – Personnel Services Department
Action Taken: Approved
- R. **BILL – (For introduction)** – Amending the official list of designated special speed zones designating speed limits for various streets within the City of Fresno pursuant to Section 14-1501 of the Fresno Municipal Code – Public Works Department
Action Taken: Bill No. B-48 introduced/laid over
- S. **BILL – (For introduction)** - Amending Section 6-202, Subsections (c), (f), (g) and (i) of Section 6-205, Section 6-208 and Section 6-209 of the Fresno Municipal Code, relating to the solid waste, recyclable and green waste collection and disposal – Department of Public Utilities
Action Taken: Bill No. B-49 introduced/laid over

CONTESTED CONSENT ITEMS (IF ANY)

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**

9:30 A.M. **GENERAL ADMINISTRATION**

A. Approval of HOME Investment Partnerships (HOME) Program loan funds in the amount of \$2,100,000 to Bastian Court LP for the 61-unit Bastian Court Affordable Multi-Family Development Project (*Property located in District 3*) – Planning and Development Dept.
Action Taken: Approved

10:00 A.M. **WORKSHOP** regarding Urban Water Management Plan – Water Division - Held

2:00 P.M. **CLOSED SESSION**

2:30 P.M. Foreclosures update; status report on local response by HUD, Housing Authority, Redevelopment Agency, By Design, Community Housing Council, Code Enforcement and Housing Division – Planning and Development Department
Action Taken: report made

3:00 P.M. Presentation and Approval of the Planning Commission's recommendation of SEGA Growth Alternative No. 2 as the SEGA Preferred Alternative to be used as the basis for and focus of subsequent SEGA DRAFT Specific Plan and EIR formulation, and the Planning Commission's four related addendum recommendations – Planning and Development Department
Action Taken: Staff recommendation approved

3:30 P.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve the Agency minutes of June 17, 2008

Action Taken: Approved

A. **HEARING** to consider adoption of an ordinance to delete the debt incurrence time limit pursuant to SB 211 from eight (8) Redevelopment Plans within the Merger One Redevelopment Project (*Council and Agency action*)

Action Taken: Held

1. **BILL - (For introduction)** - To delete the debt incurrence time limit within the Central Business District, Chinatown Expanded (and West Fresno Rehabilitation Project), Convention Center, Jefferson, Mariposa, West Fresno I, West Fresno II, and West Fresno III pursuant to SB 211

Action Taken: Bill No. B-50/Ordinance No. 2008-47 adopted

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

3:30 P.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED

- B. Consider authorizing the Executive Director of the Agency to negotiate and execute an Owner Participation Agreement (OPA) between the Redevelopment Agency of the City of Fresno and Fresh & Easy Neighborhood Market Inc., a Delaware corporation for the development of a grocery store at 2820 Tulare Street in the Urban Renewal Plan for Mariposa Project (**Agency action**)
Action Taken: Authorized
- C. 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 July 29, 2008 at 3:00 p.m.**)
Action Taken: Continued as noted

ADJOURN AGENCY

SCHEDULED COUNCIL HEARINGS AND MATTERS

July	29 -	10:00 A.M.#1	HEARING re: Rezone Application No. R-08-07, filed by Tom Anderson on behalf of the Save Mart Supermarket
July	29 -	10:00 A.M.#2	HEARING re: to consider the proposed annual assessments for Landscaping and Lighting Maintenance District No. 1
July	29 -	10:15 A.M.	JPFA MEETING re: Convention Center Bonds – Finance Dept.
July	29 -	3:00 P.M.	JOINT RDA MEETING - Consider adoption of Agency resolution certifying Subsequent Environmental Impact Report (SEIR) SCH #2003051046 for the Old Armenian Town Project-relocation of historical resources
July	30 - (Weds.)	9:00 A.M.	SPECIAL JOINT MEETING with Fresno Unified School District at Yokomi Elementary School
Aug.	5 -	NO MEETING	COUNCIL RECESS
Aug.	12 -	NO MEETING	COUNCIL RECESS
Aug.	19 -	10:00 A.M.	Consideration of Plan Amendment Application No. A-08-01, Rezone Application No. R-08-01, filed by BKM Partners and SKN Properties, on behalf of Cris and Don Pilegard
Aug.	19 -	10:15 A.M.	HEARING re: CFD No. 11, Annexation No. 34, Final Tract No. 5935
Aug.	19 -	10:30 A.M.	WORKSHOP re: Work Force Investment Board structure
Aug.	26 -	10:00 A.M.	Fresno Area Express item (BRT Presentation)
Sept.	2 -	NO MEETING	COUNCIL RECESS
Sept.	9 -	NO MEETING	COUNCIL RECESS
Sept.	16 -	10:00 A.M.	HEARING re: vacation of a portion of the west side of N. Clovis Avenue between E. Grant and E. Madison Avenues