



City Council Agenda

Council President
Cynthia A. Sterling

Councilmembers

Andreas Borgeas
Lee Brand
Mike Dages

Henry T. Perea
Larry Westerlund- Acting President
Blong Xiong

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.

June 4, 2009

8:30 A.M. ROLL CALL

Invocation by Phil Skei of the Intervarsity's Fresno Institute for Urban Leadership (FIFUL)

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Presentation of the SPCA Pet of the Month – Councilmember Perea - **Presented**

Proclamation of "BIG BROTHERS BIG SISTERS DAY" – Mayor's Office – **Read and presented**

Proclamation of "THE CALIFORNIA/USA WRESTLING FREESTYLE STATE CHAMPIONSHIPS DAY" – Mayor's Office and All Councilmembers – **Read and presented**

Presentation of a Check from Pacific Gas & Electric to the City of Fresno in Support of 2009 Cooling Centers – Council President Sterling - **Presented**

Presentation of "Prime Time for Business" – Vine Global – Council President Sterling and Downtown & Community Revitalization Department – **Presentation made**

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 [May 21](#), and [May 28, 2009](#)

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. [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 Department](#)
Action Taken: Approved
- B. * **RESOLUTION** – 88th amendment to AAR No. 2008-162 appropriating \$396,800 of State of California Supplemental Law Enforcement Services Funds (SLESF) into the fiscal year 2009 budget (**Requires 5 affirmative votes**) – Police Dept.
Action Taken: Resolution No. 2009-120 adopted
- C. [Authorize the Director of Aviation to execute a professional consulting agreement with Cline, Smull, Hamill, Quintieri, Associates \(CSHQA\) for the schematic redesign of an automated checked baggage inspection system \(CBIS\) at Fresno Yosemite International \(FYI\) Airport in an amount not to exceed \\$96,616 – Airports Department](#)
Action Taken: Authorized
- D. [Authorize Director of Aviation to execute a reimbursable "Other Transaction Agreement" \(OTA\) with the Department of Homeland Security Transportation Security Administration \(TSA\) related to the redesign of an automated checked baggage inspection system and relocation of equipment at Fresno Yosemite International \(FYI\) Airport – Airports Dept.](#)
Action Taken: Authorized

1. **CONSENT CALENDAR CONTINUED**

- E. Approve Airports Department rental of Fresno Yosemite International (FYI) Airport lease lots 13/13A hangars and associated office/ramp space and adopt CEQA Exemption per Guideline 15301 and approve related tenant services agreement with Ross Fresno LLC/dba Corporate Aircraft – Airports Department
Action Taken: Approved
- F. Adopt Finding of a Categorical Exemption, Fresno County Document No. E200810000362, pursuant to CEQA Guidelines Section 15301(f) – Public Works Department
Action Taken: Adopted
1. Award a contract in the amount of \$220,160, to Terno, Inc. for the installation of new traffic signal facilities at the intersection of Balch and Chestnut Avenues (**Property located in District 5**)
Action Taken: Awarded
- G. Initiate proceedings and declare intention to levy the annual assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1 (**City-wide**) - Public Works Department
1. **RESOLUTION** – Initiating proceedings for the annual levy of assessment for Landscaping and Lighting Maintenance District No. 1
Action Taken: Resolution No. 2009-121 adopted
2. **RESOLUTION** – To levy and collect the annual assessment for Landscaping and Lighting Maintenance District No. 1
Action Taken: Resolution No. 2009-122 adopted
- H. Approve an agreement with the City of Clovis for construction and maintenance of median island landscaping and irrigation improvements along Willow Avenue between Teague Avenue and Shepherd Avenue (**Property located in District 6**) - Public Works Department
Action Taken: Approved
- I. **RESOLUTION** - Authorizing the signature of financial assistance applications and related documents for financing agreement from the State Water Resources Control Board in the amount of \$897,167 for the construction of the Herndon Town Sewer Project and authorizing the Director of Public Utilities or his designee to execute all necessary documents (**Property located in District 2**) – Dept. of Public Utilities
Action Taken: Resolution No. 2009-123 adopted
1. **RESOLUTION** - Authorizing the signature of financial assistance applications and related documents for financing agreement from the State Water Resources Control Board for \$400,000 for the Cortland/Fountain Way sewer project and authorizing the Director of Public Utilities or his designee to execute all necessary documents (**Property located in District 1**)
Action Taken: Resolution No. 2009-124 adopted
- J. Award contract to FMDiaz Construction in the amount of \$154,804 for well site improvements at Pump Station No. 226-3 – Dept. of Public Utilities
Action Taken: Awarded
- K. Approve submission of the Community Development Block Grant Recovery Act (CDBG-R) application to the U.S. Department of Housing and Urban Development (HUD) for \$2.047 million of funds entitled to the City from the American Recovery and Reinvestment Act of 2009 (ARRA), and authorize the City Manager to enter into implementation documents on behalf of the City of Fresno – Finance Dept./Budget Mgmt. Division
Action Taken: Approved
- L. * **RESOLUTION** - 89th amendment to AAR No. 2008-162 appropriating \$200,500 in previously approved funds for the Mosqueda BMX bike complex project in the Parks, After School, Recreation and Community Services Department (**Requires 5 affirmative votes**) - PARCS
Action Taken: Resolution No. 2009-125 adopted

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

9:30 A.M.#2

GENERAL ADMINISTRATION CONTINUED

- C. Authorize the execution of documents relating to the placement of worksite participants of the summer youth employment program operated by both: 1) Arbor Employment and Training, LLC; and 2) Fresno County Economic Opportunities Commission, as funded by the Fresno County Workforce Investment Board, to offer short-term employment opportunities to youth aged 14-24 – City Manager's Office
Action Taken: Authorized

10:00 A.M

HEARING regarding Council review pursuant to Fresno Municipal Code 12-406-J of Planning Commission approval of CUP No. C-09-028 related to a group housing use at 1620 E. White Avenue and adoption of Categorical Exemption pursuant to Environmental Assessment No. EA-C-09-028 – Planning and Development Dept. (***Continue to June 11, 2009 at 10:00 a.m.***)
Action Taken: Continued to June 18, 2009 at 11:00 a.m.

10:30 A.M.

REGULAR MEETING OF THE REDEVELOPMENT AGENCY

Approve minutes of May 21, 2009

Action Taken: Approved

- A. Recommend approval of a Purchase Option Agreement (POA) between the Redevelopment Agency of the City of Fresno and AMCAL Multi-Housing, Inc., a California Corporation, for a 1.52 acre parcel (2150 S. Elm) and a 1.39 acre parcel (630 and 636 B Street) at Geneva and B Streets for the purpose of allowing the project to apply for Low Income Housing Tax Credits in the June 9, 2009 application round through the California Tax Credit Allocation Committee for 49 low-income apartments and one manager's unit, and have adequate site control over the Agency-owned parcel, in the Southwest GNRA (***Agency action***)
Action Taken: Approved
- B. Consider a Purchase Option Agreement (POA) between the Redevelopment Agency of the City of Fresno and Advanced Development & Investment, Inc. (ADI), for an .86 acre parcel at Ventura Avenue and 10th Street for the purpose of allowing the project to apply for Low Income Housing Tax Credits in the June 9, 2009 application round through the California Tax Credit Allocation Committee for 81 residential studios and 11 two bedroom units for very low-income seniors and adults, and have adequate site control over the Agency-owned parcel, in the Southeast Redevelopment Project Area (***Agency action***)
Action Taken: Approved

ADJOURN AGENCY

11:00 A.M.

CLOSED SESSION

- A. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)
1. **Case Name:** Anthony J. Fagone v. City of Fresno, et al. Superior Court Case No. 08CECG01501 AMS
Action Taken: Held

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

2:00 P.M. CONTINUED CONSIDERATION OF FISCAL YEAR 2009-2010 ANNUAL BUDGET

A. [City Clerk's Office, Personnel Services Dept.](#) and City Attorney's Office
Action Taken: Held

ADJOURN budget consideration to June 9, 2009, at 8:30 a.m. for continued budget discussions

SCHEDULED COUNCIL HEARINGS AND MATTERS

- June 11 - 9:30 A.M. #1 **HEARING** re: ordering the vacation of a portion of "C" Street between San Benito Street and E. California Avenue and the Freeway 99 - "C" Street alley
- June 11 - 10:00 A.M. **HEARING** re: Rezone Application No. R-08-012, Plan Amendment No. 08-06, filed by Sol Development Associates on behalf of Horizon Enterprises
- June 11 - 10:15 A.M. **HEARING** to consider Rezone Application No. R-09-01, filed by Minh The Tran, property located at 1622 S. Cedar Ave. – Planning and Development Department
- June 18 - 9:30 A.M. #1 **HEARING** re: ordering the vacation of N. Millbrook Avenue north of Copper Avenue (**Property located in District 6**)
- June 18 - 10:00 A.M. **HEARING re:** General Plan Amendment Application No. A-09-02 Air Quality Objectives and Policies
- June 18 - 11:00 A.M. **CONTINUED HEARING** regarding Council review pursuant to Fresno Municipal Code 12-406-J of Planning Commission approval of CUP No. C-09-028 related to a group housing use at 1620 E. White Avenue
- June 25 - **MEETING**
- July 2 - **COUNCIL RECESS**
- July 9 - **COUNCIL RECESS**
- July 16 - 10:00 A.M. **CONTINUED HEARING** to consider an appeal, filed by Gary McDonald on the Tract Map and former Councilmember Duncan on the Conditional Use Permit Application, appealing the Fresno City Planning Commission's denial of Vesting Tentative Tract Map No. 5933, CUP C-08-59
- July 16 - 10:15 A.M. **HEARING** re: Landscape and Lighting Maintenance District (LLMD) No. 1 – Public Works Dept.
- July 23 - **MEETING**
- July 30 - **MEETING**

HEARING SCHEDULE FOR FISCAL YEAR 2009-2010 ANNUAL BUDGET (SUBJECT TO CHANGE)

Please Note: Department budgets will generally be considered as listed below. Members of the public will be allowed to address the Council regarding the budget. Please be advised consideration of some departments may be continued to the next scheduled hearing date if discussions run long, and other departments may be considered in advance of the date listed.

- June 9 - 8:30 A.M. Finance Dept., Fire Dept. and Police Department
- June 11 - 2:00 P.M. Downtown & Community Revitalization Dept. and Planning and Development Dept.
- June 16 - 8:30 A.M. Public Works Department, CDBG (10:30a.m.), and PARCS Dept.
- June 18 - 2:00 P.M. Redevelopment Agency (2:00p.m.), and Council/Mayor's Office (4:00 p.m. – 5:00 p.m.)
- June 23 - 8:30 A.M. Overflow and Final Motions
- June 25 - 2:00 P.M. Adopt Budget
- June 30 - 8:30 A.M. Must Adopt Budget