



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.

April 7, 2009

8:30 A.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

Administration of the Oath of Office to Councilmember Larry Westerlund - **Administered**

Ceremonial Presentations:

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

Proclamation of "WEEK OF THE YOUNG CHILD" – Council President Sterling – **Read and presented**

Proclamation of "EARTH DAY" – Mayor and Councilmember Xiong - **Read and presented**

Presentation of Check by Wells Fargo Bank to PARCS Department for "Family Fitness Saturdays" - Councilmember Xiong - **Presented**

Presentation of Idea\$ Pay Check to Arnulfo "Ray" Flores - City Manager's Office - **Presented**

ADD-ON – Proclamation of "PUBLIC SAFETY TELECOMMUNICATIONS WEEK" – Councilmember Perea – **Read and proclaimed**

Presentation of P.R.I.D.E Team Certificates for the Spring Quarter - **Reception immediately following – 2nd floor foyer - Presented**

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 31, 2009](#)

Action Taken: Approved

[Approve Fresno Joint Powers Financing Authority minutes of March 31, 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. * [Award contract to Tron Construction, Inc. of Fresno in the amount of \\$177,000.00 to acoustically treat 10 homes under the Fresno Yosemite International Airport Sound Mitigation Acoustical Remedy Treatment \(SMART\) Program, Phase XI, Bid Group #19A, Federal Aviation Administration \(FAA\) Airport Improvement Program \(AIP\) Grant Number 52 – Airports Department](#)

Action Taken: Awarded

B. * [Approve agreement for professional consulting services with Somam, Inc. DBA Integrated Designs, of Fresno for architectural services for certain unspecified Fresno Yosemite International Airport \(FYI\) and Fresno Chandler Executive Airport \(FCH\) Airport Improvement Program \(AIP\) funded and non-AIP funded capital projects in the amount of \\$84,211.00 – Airports Department](#)

Action Taken: Approved

C. * [Authorize a joint agreement between the City of Fresno and the County of Fresno for the 2009 Recovery Act, Edward Byrne Memorial Justice Assistance Grant \(JAG\) Formula Program, from the U.S. Department of Justice, Bureau of Justice; for grant funding of \\$1,991,509.00 – Police Department](#)

Action Taken: Removed from the agenda

1. **CONSENT CALENDAR CONTINUED**

- D. **RESOLUTION** - Authorizing the submission of applications for and acceptance of grant funds to the California Department of Transportation Safe Routes to School Program and authorizing the execution of documents by the Public Works Director or designee – Public Works Department
Action Taken: Resolution No. 2009-79 adopted
- E. * Approve an agreement with Biggs Cardosa Associates, Inc., in the amount of \$474,900.00 for design and construction support services for the rehabilitation of the Monterey Street Bridge (**Property located in District 3**) – Public Works Department
Action Taken: Approved
- F. Consider and adopt a Mitigated Negative Declaration and approve the acquisition of one fee simple parcel at the corner of Herndon Avenue and Weber Avenue from property owned by Export Asia, Inc., a Wyoming Corporation (**Property located in District 2**) – Public Works Department
Action Taken: Adopted
- G. Approve appointment of Pamela Kallsen to the Housing Authority; Allysun Williams, Bonnie M. Rusko, Brian Domingos, Jr., and Tony J. Miranda to the 10 X 10 Blue Ribbon Commission; the re-appointment of Kristi Lawrence to the Fresno Mosquito and Abatement District, appointment of Kathleen L. Reyna to the Street Impact Fee Board; the re-appointment of Steve Martinez to the Civil Service Board; the reappointment of Don R. Simmons and new appointment of Teresa Espana to the Historic Preservation Commission; and the appointment of Jasdeep Singh to the Housing and Community Development Commission – Mayor's Office
Action Taken: Approved
- H. Documents pertaining to BMX racing at designated City BMX Tracks – PARCS
1. * Approve 2009 National Event License Agreement for BMX racing at designated City BMX tracks
Action Taken: Approved
 2. * Approve 2009 Golden State BMX Association Agreement for BMX racing at designated City BMX tracks
Action Taken: Approved
- I. * **RESOLUTION** - 73rd amendment to AAR No. 2008-162 for the re-appropriation of \$260,500.00 in certain capital projects previously approved by Council in the PARCS Department (**Requires 5 affirmative votes**) - PARCS
Action Taken: Resolution No. 2009-81 adopted
- J. Approve appointment of Nicholas O. Webber to the City of Fresno Utility Advisory Committee- Councilmember Borgeas
Action Taken: Approved
- K. * **RESOLUTION** – Rescinding Resolution No. 2002-164 and adopting a City policy on the distribution and use of the tickets and skybox for the multipurpose stadium – General Services Department
Action Taken: Resolution No. 2009-80 adopted
- L. * **BILL NO. B-16 - (Intro. 3/31/2009) (For adoption)** – Adopting amendments to two (2) redevelopment projects, including the Southwest Fresno General Neighborhood Renewal Area Project and the Redevelopment Plan for the Fruit/Church Project, pursuant to Health and Safety Code Section 33333.6(e)(2) deleting the debt incurrence time limit (**Council action**)
Action Taken: Ordinance No. 2009-15 adopted
- M. * **BILL NO. B-14 - (Intro. 3/31/2009) (For adoption)** – Amending the Fresno Municipal Code Section 4-108 relating to local small business preference in City procurement – Mayor's Office and General Services Dept.
Action Taken: Ordinance No. 2009-16 adopted

CONTESTED CONSENT CALENDAR

SCHEDULED COUNCIL HEARINGS AND MATTERS

- 9:00 A.M.#1 A. **SCHEDULED COMMUNICATION –**
1. Appearance by Barbara Hunt to discuss her concerns relating to the Cecil Hinton Center – **Appearance made**
 2. Appearance by Warren Zimmerly to discuss various concepts of development in the City of Fresno – **Appearance made**
 3. Appearance by Walt Ferrari to discuss the City of Fresno’s garbage service – **Request to appear withdrawn**

9:00 A.M.#1 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 - **Held**

9:15 A.M.#1 Presentation of “Prime Time for Business” – Pollstar – Mayor Swearingin and Council President Sterling – **Presentation made**

9:15 A.M.#2 **CITY COUNCIL**

- A. **RESOLUTION** - Approving the reallocation of \$28,200 in the Parks, After School, Recreation and Community Services Department for an extension of the previous lease with the Cecil B. Hinton Center through June 30, 2009 - Council President Sterling
Action Taken: Resolution No. 2009-82 adopted
- B. Request City Manager to return with a communications plan to the City Council no later than April 23, 2009, regarding efforts by the City of Fresno to create jobs and provide housing opportunities utilizing Federal stimulus and Neighborhood Stabilization Program Funds - Councilmember Lee Brand, Council President Cynthia Sterling, Councilmember/RDA Chair Blong Xiong
Action Taken: Approved

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

- A. Adopt the Sewer System Management Plan (SSMP) as required by the Statewide general waste discharge requirements for sanitary sewer collection systems – Dept. of Public Utilities
Action Taken: Adopted

9:45 A.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve minutes of March 31, 2009
Action Taken: Approved

- A. **RESOLUTION** - Authorizing the participation as a co-applicant with the Belmont Merchants Association for the submittal of a community based transportation planning grant of up to \$200,000 under the California Department of Transportation (CALTRANS) Fiscal Year 2009-10 and for the acceptance of funding (**Agency action**)
Action Taken: Resolution No. 1741 adopted

ADJOURN AGENCY

