



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.

May 7, 2009

8:30 A.M. ROLL CALL

Invocation by Father Jim Pappas of St. George Greek Orthodox Church

Pledge of Allegiance to the Flag

Ceremonial Presentations:

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

Proclamation of "OLDER AMERICANS' MONTH" – All Councilmembers- **Read and presented**

Proclamation of "STAMP OUT HUNGER DAY" – Mayor's Office - **Read and presented**

Proclamation of "TEEN PREGNANCY PREVENTION MONTH" – Council President Sterling and Councilmembers Perea and Xiong - **Read and presented**

Proclamation of "FRESNO BIKE MONTH" and "2009 BIKE TO WORK WEEK" – Councilmember Brand - **Read and presented**

Proclamation of "NATIONAL VOLUNTEER WEEK" – Mayor's Office - **Read and presented**

Add-on: Proclamation of "Dr. Stephen Rodemeyer Day" - **Read and 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 April 30, 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 leases of meeting/storage spaces at Fresno Chandler Executive Airport with Richard Bain, Roy Kroeker, and Fresno County – Airports Dept.
Action Taken: Approved

- B. Approve a five-year hangar lease at Fresno Chandler Executive Airport with William Newburn dba Pacific Coast Aero Marine Repair – Airports Dept.
Action Taken: Approved

- C. Approve a professional consulting services agreement with Harris & Associates for construction management support services related to terminal and airfield projects at Fresno Yosemite International Airport and Fresno Chandler Executive Airport in the amount of \$259,973 – Airports Dept.
Action Taken: Approved

- D. Award a contract for construction to Roebbelen Contracting, Inc. of El Dorado Hills, California for the Fresno Yosemite International Airport Terminal rehabilitation in the amount of \$2,767,000 – Airports Dept.
Action Taken: Awarded

1. **CONSENT CALENDAR CONTINUED**

- E. Approve a six-year extension of Chandler Airport hangar lease with Aloha Aircraft Sales, LLC – Airports Dept.
Action Taken: Approved
- F. * **RESOLUTION** – 10th amendment to Salary Resolution No. 2008-165 amending the Voluntary Time Off (VTO) Program for Fiscal Year 2010 – Personnel Services Dept.
Action Taken: Removed from the agenda
- G. **RESOLUTION** - Authorizing the submission of a grant application for up to \$5,000,000 to the Department of the Interior (DOI), Bureau of Reclamation for funding to support the installation of the residential water meters through the Water for America Challenge Grant which is a component of the American Recovery and Reinvestment Act of 2009 (ARRA) – Dept. of Public Utilities
Action Taken: Resolution No. 2009-103 adopted
- H. Adopt Resolution of Intention No. 1073-D to vacate a portion of W. Alluvial Avenue west of N. Lafayette Avenue and setting the public hearing for June 4, 2009 at 9:30 a.m. (**Property located in District 2**) – Public Works Department
Action Taken: Adopted
- I. **RESOLUTION** - Accepting an irrevocable offer to dedicate a public street easement along the southwest corner of Herndon Avenue and Golden State Boulevard, APN 504-140-11, from property owned by George and Cynthia Brown and Caroline Hinshaw (**Property located in District 2**) – Public Works Dept.
Action Taken: Resolution No. 2009-104 adopted
- J. Approve appointment of Patrick Boyd to the Historic Preservation Commission – Mayor's Office
Action Taken: Approved

CONTESTED CONSENT CALENDAR

SCHEDULED COUNCIL HEARINGS AND MATTERS

- 9:00 A.M.#1 A. **SCHEDULED COMMUNICATION** –
1. Appearance by Brian Calhoun to request using the two grassy knoll areas of City Hall to demonstrate “Victory Garden” and a model landscape of drought resistant plants-
Appearance made
 2. Appearance by Eric and Rebecca Wardwell to discuss a Fresno Bee newspaper article relating to the Police Department- **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

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

9:15 A.M. #1 "Prime Time for Business" in commemoration of May as "Water Wise" Month: Presentation by Claude Laval of the Water and Energy Technology (WET) Incubator, and a featured Fresno water technology company – Councilmember Borgeas and Downtown and Community Revitalization Department
Action Taken: Presentation made

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

- A. Approve the formation of a Council subcommittee on water – Councilmembers Borgeas, Brand, and Council President Sterling
1. **RESOLUTION-** Establishing the City Council Subcommittee on Water
Action Taken: Resolution No. 2009-105 adopted
- B. * **RESOLUTION -** Adopt a Council policy allowing Fresno City elected officials to voluntarily return a portion of their annual salary to the City- Councilmembers Westerlund and Borgeas
Action Taken: Resolution No. 2009-106 adopted

9:45 A.M. **GENERAL ADMINISTRATION**

- A. Approve a professional services agreement with Carollo Engineers, PC, in the amount of \$703,599 for professional consultant services for the development of a Recycled Water Master Plan (RWMP) – Dept. of Public Utilities
Action Taken: Approved
- B. * **RESOLUTION -** Declaring its official intent to reimburse certain expenditures from proceeds of indebtedness for expenses incurred related to water enterprise capital projects – Dept. of Public Utilities
Action Taken: Resolution No. 2009-107 adopted
- C. Direction to staff to prepare an application to the U.S. Department of Housing and Urban Development for a \$2 million Section 108 Loan to provide financing to Robotic Built Structures for the purchase of equipment and machinery as part of the development of a modular housing manufacturing facility – Downtown and Community Revitalization Dept.
Action Taken: Approved

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 (***Continue to July 16, 2009 at 10:00 a.m.***) – Planning and Development Dept.
Action Taken: Continued as noted

10:30 A.M. Presentation of the Neighborhood Market DrillDown Analysis Report by Social Compact, Inc. – Downtown and Community Revitalization Department
Action Taken: Presentation made

CLOSED SESSION

SCHEDULED COUNCIL HEARINGS AND MATTERS

May	14 -	10:00 A.M.	HEARING re: Rezone Application No. R-08-23, filed by Bob Van Wyk, on behalf of the Fresno Metropolitan Flood Control District
May	14 -	10:15 A.M.	HEARING re: to consider adoption of resolutions related to the designation of properties to the Local Register of Historic Resources: RESOLUTION – Designating the Frank Chance Field Site located at the southwest corner of Ventura St. and Cedar Ave. to the Local Register of Historic Resources (Council District 5) RESOLUTION – Designating the William F. Jones Home located at 1112 E. Franklin Ave. to the Local Register of Historic Resources (Council District 3)
May	14 -	2:30 P.M.	HEARING re: Rezone Application No. R-07-75, filed by Marwan Youssef
May	21 -	MEETING	
May	28 -	2:00 P.M.	Budget discussions – Mayor’s budget presentation (2:00 p.m. – 2:30 p.m.)
June	4 -	9:30 A.M.#1	HEARING re: ordering the vacation of a portion of W. Alluvial Avenue west of N. Lafayette Avenue (<i>Property located in District 2</i>)
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	18 -	9:30 A.M. #1	HEARING re: ordering the vacation of N. Millbrook Avenue north of Copper Avenue (<i>Property located in District 6</i>)
June	18 -	10:00 A.M.	HEARING re: General Plan Amendment Application No. A-09-02 air quality objectives and policies
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	23 -	MEETING	
July	30 -	MEETING	

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

May	28 -	2:30 P.M.	Airports Dept. and General Services
June	2 -	8:30 A.M.	DPU, Downtown & Community Revitalization Dept., FAX and Convention Center
June	4 -	2:00 P.M.	City Clerk’s Office and Personnel Services Dept.
June	9 -	8:30 A.M.	Finance Dept., Fire Dept. City Attorney’s Office and Police Department
June	11 -	2:00 P.M.	Planning and Development Dept., ISD and General City Purpose
June	16 -	8:30 A.M.	Public Works Department, Redevelopment Agency, and PARCS Dept.
June	18 -	2:00 P.M.	CDBG (2:00 p.m. – 4:00 p.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

May 7, 2009

***SUBJECT TO MAYOR’S VETO OR RECONSIDERATION
AND MAY BE AMENDED AT ANYTIME**

June 30 - 8:30 A.M. Must Adopt Budget