

The City Council met in adjourned session at the hour of 8:30 a.m. in the Council Chamber, City Hall, on the day above written, for continued consideration of the FY 2008 Budget.

Present were Councilmembers Calhoun, Dages, Duncan, Sterling, Xiong and Council President Perea, City Manager Souza, City Attorney Sanchez, City Clerk Klisch, Assistant City Clerk Salazar, Deputy City Clerk Bruer, Budget Manager Smith, and necessary staff. Councilmember Westerlund was absent due to military duty.

President Perea led the Pledge of Allegiance.

(8:30 A.M.) CONTINUED HEARING ON THE FISCAL YEAR 2008 BUDGET

President Perea advised the meeting would start with public comment on FCASH and the Independent Police Auditor as many were in attendance to comment, but first recognized Councilmember Calhoun to address a Transportation Department matter.

TRANSPORTATION DEPARTMENT

Councilmember Calhoun spoke to the \$1.2 million downtown circulator system and the many downtown transportation studies that have been conducted, and questioned what this system was, what it would do, if this was something ongoing, if this was part of the transportation studies, and if plans had been brought forth before. Upon question of City Manager Souza, Councilmember Calhoun stated he did not have the budget reference whereupon Mr. Souza advised without the reference he could not respond and it was determined to address the matter later in the meeting.

PUBLIC COMMENT

INDEPENDENT POLICE AUDITOR (IPA)

Speaking in support of an Independent Police Auditor (IPA) were: Venancio Gaona, on behalf of the Fresno County Democratic Central Committee (FCDCC) and El Concilio de Fresno, who submitted and read a resolution into the record from the FCDCC signed by members, on file in the office of the city clerk; Ellie Bluestein; Bill Simon, Chair of the Greater Fresno Area Chapter of the ACLU of Northern California and President of Peace Fresno; Diane Corbin, Central California Criminal Justice Committee (CCCJC) member; Ray Ensher, 364 W. Vartikian; Rebecca Rangel; Victor McLane; Pat Sigala; Carole Jacoby, local business owner; Mai Summer Vue, Chair of the Hmong-American Coalition for Human Rights Injustice; Howard Watkins, 1785 W. Dovewood, Chair of the Central Valley Progressive Political Action Committee; Alfonso Williams, homeless and homeless activist; Mang Han, who spoke through a translator; Wa Neng Moua, who spoke through a translator (2 - 0); Bryan Jessup; Tony Farmer, 1312 W. Fremont; Laura Magill; Mark King, private criminal defense attorney; Robert Merrill, District 6 resident; Dallas Blanchard; 933 F Street; Charles Magill; Gloria Hernandez, 3232 E. Hedges, representing CCCJC, who also submitted a petition containing the names of 1,652 people; Betty Harmon, 3232 E. Hedges; Rev. Walt Parry, Fresno Metro Ministry; Gerald Bill, 708 E. Beverly Way; Lesly Kimber; Jim Grant; Thai Xiong, who spoke through a translator; Mai Lo, who spoke through a translator (3 - 0); Michael Becker; and Jem Bluestein.

Jerry Smith, on behalf of the Fresno Firefighters Association, spoke to the funding to fulfill the IPA position and expressed concern with hiring another layer of government when the City is unable to fund fire and police needs. Speaking in opposition to an IPA were Sheila Chandler, Bill Trollinger and Kirk Pool, all on behalf of the Fresno Police Officers Association (FPOA); Curt Chastain, police officer; and Jacky Parks, FPOA.

President Perea stated this was not the end of the debate and thanked everyone for their input and for respecting both sides.

FRESNO COALITION FOR ARTS, SCIENCE AND HISTORY (F-CASH)

Requesting \$35,000 in funding to help launch the first Fresno county public awareness campaign for cultural arts were Cynthia Cooper, Planning Director for FCASH, Howard Watkins, 1785 W. Dovewood; Ron Eichman, General Director of the Fresno Grand Opera and board member of FCASH; Ann Vermel, citizen and soon to be business owner in the arts; and Kaye Cummings, Executive Director of the Bonner Family Foundation.

President Perea advised this item was contained in the General City Purpose budget and there was no further discussion.

PARKS, RECREATION & COMMUNITY SERVICES DEPARTMENT

Director Cooper gave a PowerPoint presentation on his department’s budget which included facts on PR&CS, FY 2008 highlights, FY 2007 donations/sponsorships/grants, Parks Maintenance/overtime/impacts to the operation, Recreation successes, Community Services successes (4 - 0), and a video played to the department’s theme song “Ain’t No Stopping Us Now “.

Mr. Cooper, Recreation Manager Fitzpatrick and Jobs Initiative Community Coordinator Du’Chene responded to questions and/or comments of Councilmembers Duncan and Sterling relative to Camp Fresno, the friendship camp, when construction would begin on Todd Beamer park/commendation to staff on the process engaged in, concern with how capital improvements are being finances, request that the process of building parks does not get lost in bureaucracy, if this budget provided for needed staffing, the department’s top three priorities and if they were included in the budget, multi-year projects and status, community center’s programs (and request for list of same), how the public is made aware of community center programs, activities/programs in areas without community centers, the Mayor’s Job Initiative, various other programs and staffing, the SPCA contract, inmate labor, and why the department was involved in the purchase and development of park spaces and how property is purchased.

Councilmember Dages commended Mr. Cooper and staff and spoke briefly to the \$40 million to be bonded and advised he was opposed to the section pertaining to the downtown riverwalk for \$1.1 million.

MOTION - DOWNTOWN RIVERWALK - (no second) - Councilmember Dages made a motion to delete the \$1.1 million for the Downtown Riverwalk project, which motion did not receive a second. Councilmember Dages stated for downtown revitalization to occur housing was needed first and then amenities, and added those funds could better be used on parks. Councilmember Calhoun stated he had the same issues to a large extent and added an EIR had not been conducted on the project, no information had been provided, he had not been convinced the project was feasible, he had no idea of the cost, and he did not support spending over \$1 million without knowing ultimate costs or how the project would be financed.

MOTION - Calhoun/Dages - Place the \$1.1 million for the Downtown Riverwalk project into a contingency fund until Council debates the issues.

Councilmember Calhoun continued and spoke to facility improvements noting additional funding in the amount of \$300,000 was proposed for the Ted C. Wills Center which has already had a lot of money/improvements put into it, and spoke to the condition of the Pinedale Community Center and a proposal for needed improvements and made a motion with brief discussion ensuing on the funding source.

MOTION - Calhoun/Duncan - Allocate \$350,000 as originally proposed and as proposed by the oversight committee for CDBG funding from CDBG, Quimby or other available sources for the Pinedale Community Center.

Councilmember Calhoun continued and spoke to the City Steward Program stating he did not know what they did and he had not seen any payoff and wanted to see those dollars used more appropriately somewhere else.

(5 - 0) **MOTION - CITY STEWARD PROGRAM** - (no second) - Councilmember Calhoun made a motion to delete the \$100,000 for the City Stewardship Program, which motion did not receive a second.

Councilmember Calhoun spoke to the After School, Recreation and Education Program in the amount of \$2.7 million stating although it was a useful program that was a lot of taxpayer money to spend on a program without adequate evaluation and stated he hoped he was being heard and programs would be evaluated and elaborated.

Mr. Cooper, Budget Manager Smith and City Manager Souza responded to questions of Councilmember Calhoun relative to the Fig Garden Loop Park, the error resulting in less money being included in this budget to complete the park (with Mr. Cooper confirming that was #1 on the priority list), when the \$29.4 million in bonds would be issued, and if no problems were foreseen.

Mr. Cooper and Mr. Souza responded to questions of Acting President Xiong relative to fees, if any fee assessment had been conducted, Quigley Park capital improvements/his prior request for information, the school proposed for construction near Quigley, Community Services division and Mayor's Job Initiative and how they interact with other community based partners, parks staffing, and the Bankside Trail project.

Mr. Souza noted a response was provided on Acting President Xiong's parks request but he realized the fundamental question on improvements was not answered and advised that information would be provided as quickly as possible, and relative to Councilmember Calhoun's motion on the downtown river project advised staff would be making a presentation to Council on June 12th on not just the river project but also on the entirety of the downtown vision 2010 adopted back in 2002.

Assistant Director Hayes and Mr. Cooper responded to questions and comments of President Perea relative to the national average for park acres, the city's average, the department's plan for downtown parks/green space as a push for downtown housing, and desire to work with the department on a downtown green space plan and future discussion on a vision. President Perea spoke to the Manchester Senior Center stating it was doing very well and made the following motion:

MOTION - Perea/Sterling - Move the \$35,000 proposed for the Manchester Senior Center to the Beverly House project for continued rehabilitation of the building.

President Perea continued and presented questions/comments relative to plans for additional dog parks, request staff consider Lafayette and Radio parks as additional dog park sites, the reduction of services at Lafayette on weekends, what the threshold was for keeping the center open, reason for redeployment savings, and need to look at re-deploying assets back at Lafayette. There was no further discussion.

LUNCH RECESS - 12:20 P.M. - 2:02 P.M. The City Council reconvened in Meeting room "A" .

CENTRAL VALLEY HIGHER EDUCATION CONSORTIUM

(6 - 0) Speaking to a request for the City to partner with the Central Valley Higher Education Consortium (CVHEC) were Sherry Cruz, Executive Director of the CVHEC; Brandy Nikada, UC Merced; and Virginia Madrid Salazar, CVHEC.

INFORMATION SERVICES DEPARTMENT

Assistant City Manager Rudd gave a PowerPoint presentation on the department's budget which included FY 2007 accomplishments, FY 2008 goals and budget highlights, and the department's top three priorities.

Brief discussion ensued with Mr. Rudd and staff responding to questions of Councilmembers Duncan, Sterling and President Perea relative to migration to Microsoft/conversion timeline, the traffic operation center (TOC), making cameras available on the internet, status on the director position, department staffing/if there were other positions to be filled, the department's top three needs, multi-year projects and status, and WiFi update. There was no further discussion.

CITY COUNCIL

(7 - 0) Budget Manager Smith gave a brief review of the department's budget.

Councilmember Calhoun spoke to the Council Analyst position and to how he has long argued that the position was not needed/unnecessary and elaborated, and made the following motion with Ms. Smith clarifying issues relative to the funding amount and salary.

MOTION - Calhoun/Duncan - Effective 1/1/08, delete the PAR for the Council Analyst and leave the \$30,000 in the 8th Council budget for use by the Council President and City Council.

President Perea stated he would be opposing the motion as the Council Analyst has been a tremendous help to him, he liked the way the system worked, and it would be unfortunate for Council to make a decision for the next Council President.

There was no further discussion.

PUBLIC WORKS DEPARTMENT

Assistant Public Works Director Kirn gave a PowerPoint presentation on his department's budget which included an overview of the department, department debt services, Parking Fund, Street Maintenance Division, Intelligent Transportation System, ADA Program, Measure "C" Extension, Capital Project highlights, a budget summary, and department accomplishments.

Mr. Kirn and Parking Manager Estabrook responded to questions of Councilmembers Sterling and Calhoun relative to whether adequate staff was provided for in this budget, the department's top three needs and if they were funded, curb cut work, multi-year projects, status of No Neighborhood Left Behind, status of various capital projects, payment of parking citations, collection rate for outstanding citations, total debt parking meters pay for, time line for project turn-around, request for staff attendance at 10x10 Committee meetings, status of filling the director position, the Abandoned Vehicle Program and assessment, (8 - 0) and the noise problem with train horns.

MOTION - Calhoun/Xiong - Appropriate \$250,000 to begin a pilot program for a Pilot Train Zone.

Councilmember Calhoun continued and spoke to Pinedale infrastructure and stated he wanted to see something moving forward that he could take to Pinedale residents and requested staff provide something by January 1st, with Mr. Kirn responding.

Mr. Estabrook, Mr. Kirn, City Manager Souza, Assistant Engineering Director Mozier, Traffic Engineering Manager Jones and Budget Manager Smith responded at length to questions/comments of Councilmembers Duncan, Dages and Xiong relative to the possibility of the County moving their office out of downtown/how difficult it would be to relocate 75 County employees to City parking structures/request staff engage in discussions with the County, the popular misconceptions with the parking program and request for the City's PR firm to develop a program to dispel myths, addressing the Willow/Shepherd area, completion of the Sugar Pine Trail, need for a plan to eliminate northeast bottlenecks/pinch points, when the downtown transportation plan would be coming forth, southeast's first NNLB project still waiting to be completed, status of the \$600,000 stadium debt, the Peach Avenue project, the Fancher Creek Project, CFDs and need to replace trees/shrubs that are gone, frustration with not completing the SE NNLB project and not moving fast enough with CFDs, and reason for increase in capital project funding.

Discussion continued with Assistant Public Works Director Kirn providing an update on the Bank Side Trail, stating there were outstanding issues, adding staff met with Fresno Irrigation District (FID) to review deal points with the Master Agreement, adding the Agreement needed to be City-wide to include all the canals if the City chose to move forward with a trail system. Mr. Kirn stated one of the deal points was that the City would assume full liability along the trail corridors, adding that was not the standard practice when two government entities were involved; another issue being the maintenance that FID would like to do as to right-of-way acquisition, noting there was no clear title and both sides had not come to an agreement. Mr. Kirn stated the other issue was a cable on posts which posed a problem with FID in their maintenance efforts. Mr. Kirn advised the first phase of the investment would be located between Save Mart Shopping Center at Ashlan and West east to Palm. Acting President Xiong questioned whether the child who recently drowned had an impact on the working relationship with FID with Mr. Kirn stating if the agreement was in place when the tragedy occurred, the City would have been totally liable.

City Attorney Sanchez stated with two governmental entities, FID had not agreed to assume responsibility for their actions, stating the current draft submitted was to have the City accept full responsibility, with Mr. Kirn stating negotiations had been taking place for approximately two years. Acting President Xiong recommended a pilot program be established for the railroad's "quiet zone," with Mr. Kirn stating the consultants have completed their study and had provided two options, adding staff would provide a tray memorandum in the near future.

Councilmember Duncan questioned the dollar amount reserved for the bank side trail project with Mr. Kirn stating \$500,000 was in the budget to include Measure "C" funds. Councilmember Duncan stated since FID placed significant barriers in the bank side trail and recommended instead of beautifying the canals, use the funding to make the canals safe, possibly install fencing, with Mr. Kirn stating there was opportunities to do things, but added the City would install protective barriers on property the City did not own and would have to meet with City Attorney's Office. Brief discussion ensued.

President Perea questioned whether there were any plans to add additional parking structures similar to the structure at the Convention Center and questioned when if staff was looking into a mixed use parking structure with Mr. Kirn responding.

BREAK – 4:18 P.M. – 4:28 P.M. During the break the City Council moved from Room 2165 (Meeting Room "A") to the Council Chambers for the remainder of the meeting.

MAYOR'S OFFICE

Chief of Staff White gave a brief overview of the Mayor's budget, provided a list of accomplishments for the fiscal year 2006-2007 including the opening of the Eaton Plaza Amphitheater, unveiling of the new Disabled Accessibility Program, reviewed a new Executive Order for California Partnership for the San Joaquin Valley, hosted the gang prevention summit held in November, inaugural Christmas tree ceremony held at City Hall, mobile fitness vehicle and the introduction of the Fresno Green Plan.

Mayor Autry stated the biggest message he wanted to convey was everyone needed to continue working together to improve and accomplish projects in the City. Mayor Autry reviewed the staffing of his office as well and the Council Offices, stating the entire City was performing short staffed and reviewed the job duties of the Deputy Mayor. Mayor Autry expressed concern with a motion being made to de-fund the Deputy Mayor position, advising there was not a conflict of interest when a staff person was interested in running for an office, adding if the position was de-funded, good reasoning needed to be provided. Extensive discussion ensued regarding whether or not there were conflicts of interest and the importance of treating everyone fairly.

Councilmember Dages responded to Mayor Autry's statements and reiterated he had stated if a City employee ran for an office, the person should take a leave of absence as that was the policy of Fresno, adding he did not mention an employee interested in running for office needed to resign from the City. Councilmember Dages expressed concern with Mayor Autry not discussing the matter privately.

Councilmember Calhoun advised a motion had not been made at the present time to de-fund the Deputy Mayor, adding the Deputy Mayor position, as well as the other positions in the Mayor's Office were hired and fired by the City Manager, adding if there were any problems the City Manager would be the person to deal with the situation. Councilmember Calhoun stated any Councilmember had the right to discuss any issue with the media, adding at this time the current discussion was inappropriate and the priority was to focus on the budget.

GENERAL CITY PURPOSES

Budget Manager Smith stated the General City Purposes consisted of three sections being the Retirement Office, Redevelopment Agency support services pass through and the Intergovernmental Relations Divisions; reviewed what each section consisted of, advising the Retirement's budget increased by 5.3% due to their own internal charges. Ms. Smith advised the Redevelopment Agency had decreased by \$204,000 due to decrease in staff and the Intergovernmental included Operation Clean-up, elections cost, public relations, and travel expenses for City business.

Ms. Smith responded to questions by Councilmembers Sterling and Calhoun relative to the Community Outreach Program, the Fresno Coalition of Arts, Social Compact Program's budget of \$100,00 and RJI's budget of \$75,000 with Ms. Smith explaining the initiatives in support of the RJI efforts. Ashley Swearingin, RJI, responded to questions pertaining to the budgeted amount, stating it included two major projects being transportation relating to Highway 99, the RJI Livability Task Force called Tree Tops and the staffing involved.

(9-0) Councilmember Duncan requested staff provide the total amount of funding given to Fresno County every year for traffic citations, fire transition agreements, etc., with Ms. Smith stating it would take some time and when the calculations were ready, budget would provide Council with the information. Councilmember Duncan advised the Communication Outreach Program began last year and was provided \$100,000 in the budget for the purpose of developing a plan to advertise Fresno and expressed concern with not seeing any report updating Council on what was done with City Manager Souza responding.

General discussion ensued with Councilmember Duncan questioning the amount allocated for Astone, the public relations firm.

MOTION: Duncan/Calhoun - Transfer the \$125,000 currently allocated for Astone to contingency for later consideration.

Councilmember Duncan continued and expressed concern for the requested increase in funding by and for the Regional Jobs Initiative (RJI), adding he felt the organization may be moving from its mission and going in areas away from fundamental goals.

MOTION: Duncan/Calhoun - maintain funding for RJI at the same level of funding as last year, \$125,000.

Discussion continued with Councilmember Duncan questioning the allocation for the Saroyan 100 year birthday celebration; and recognized the outstanding work in Southeast Fresno by both the current and prior Councilmembers for the District, with concurrence by Councilmember Calhoun. Ashley Swearengin, representing the RJI, stressed the importance of understanding the original plan. Councilmember Xiong expressed concern regarding the RJI duplicating efforts of other organizations; reviewed the Tree Tops program; and stressed his interest in having a more substantial commitment from the private sector regarding the Social Compact program. Extensive discussion ensued regarding the Social Compact program. Councilmember Xiong stated he would feel more comfortable if the City was a more equal partner in this program, stated he did not see enough equity interest by other entities, and elaborated. Councilmember Calhoun questioned an event to celebrate William Saroyan in the past, stated he was not willing to have the City pay for another similar event, with Mr. Souza responding information on the prior event would be provided.

Discussion continued regarding the Social Compact program, asset mapping, and funding for tourism, with Mr. Souza advising this would be covered under the Convention Center budget discussion. Council President Perea questioned why the asset mapping program did not include more areas beyond those within the 93706 zip code, noting he did not want to proceed when so many neighborhoods are excluded. Mr. Souza stated staff would return with the costs required to include more neighborhoods. President Perea stated he would support placing funds for asset mapping in contingency pending Council's final determination.

CITY MANAGER'S OFFICE

Deputy City Manager Zieba explained the increase involving required salary adjustments pursuant to adopted MOU's; noted the positive response to the One Call Center from members of the public; provided a breakdown of those calls by Council District; explained information regarding the company providing public relations for the City, namely Astone, provided information justifying the request for an Independent Police Auditor, and concluded. Gloria Hernandez, 2332 E. Hedges, advised of concerns regarding the One Call Center, and Kathy Ide spoke in support of Astone.

MOTION: STERLING/XIONG: - Move funding for the Independent Police Auditor from the City Manager's budget to the Council budget.

Discussion continued regarding funding for the Commission on the Status of Women. Councilmember Duncan stated he wanted staff to assist the Commission with the issue of "transparency" and explained.

MOTION: Duncan/Calhoun – Eliminate the position of Independent Police Auditor from the Position Allocation Resolution and the Annual Appropriation Resolution.

Councilmember Calhoun noted he felt there was a misperception regarding the Deputy Mayor position which involved the title of the position, adding he felt the position would best serve the City Manager.

MOTION: Calhoun, no second – Move the position of Deputy Mayor from the Mayor's budget to the City Manager's budget and change the title to Deputy City Manager.

Councilmember Dages commended efforts of the One Call Center, thanked Ms. Zieba for her assistance to Rotary Playland, and questioned Capital Improvements under the City Manager's budget, namely the \$4 million listed for public safety. Mr. Souza responded the amount was the funding to pay lease payments for the Police Substation to be located in southeast Fresno. There was no further discussion.

The hearing on the FY 2008 City of Fresno budget was continued to Tuesday, June 12, 2007, at 10:00 a.m. or as soon thereafter as the matter may be heard.

ADJOURNMENT

There being no further business to bring before the Council, the hour of 5:57 p.m. having arrived and hearing no objections, President Perea declared the meeting adjourned.

DATED this _____ day of June, 2007.

Henry T. Perea, Council President
y/c/r

ATTEST: _____
Rebecca E. Klisch, City Clerk

