

The City Council met in regular session at the hour of 8:30 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Brian Calhoun	Councilmember
	Mike Dages	Councilmember
	Jerry Duncan	Councilmember
	Henry Perea	Councilmember
	Cynthia Sterling	Acting Council President
	Blong Xiong	Council President

Absent:	Paul Caprioglio	Councilmember
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Andy Souza, City Manager  
Bruce Rudd, Assistant City Manager  
James Sanchez, City Attorney  
Becky Klisch, City Clerk  
Yolanda Salazar, Assistant City Clerk

Councilmember Dages gave the invocation and President Xiong led the Pledge of Allegiance.

**2<sup>ND</sup> QUARTER "MAKE A PROMOTION A COMMOTION" CEREMONY"**

Held. A reception was held immediately following the ceremony to honor the employees.

**RECESS - 8:45 A.M. - 9:00 A.M.**

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**APPROVE MINUTES OF JULY 15, 2008**

On motion of Councilmember Duncan, seconded by President Xiong, duly carried, RESOLVED, the minutes of July 15, 2008, approved as submitted.

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**COUNCIL MEMBER REPORTS AND COMMENTS:**

COUNCILMEMBER PEREA: Request city manager look into state program where cities can apply for funds to provide low flush toilets to low income families.

ACTING PRESIDENT STERLING: (1) Thank you to all who participated in the southwest police barbeque lunch fund-raiser for Santa's Village to benefit the southwest policing area and children; (2) congratulations to Habitat for Humanity on the dedication of their 58<sup>th</sup> home last Saturday; (3) thank you to all who participated in Fresno Area Hispanic Chamber's run, walk and car show event at Eaton Plaza last Saturday; and (4) request for an agenda by email or memo for the joint meeting with Fresno Unified next Wednesday.

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**APPROVE AGENDA:**

**(3:30 P.M. "C") JOINT MEETING WITH THE REDEVELOPMENT AGENCY ON ADOPTION OF AGENCY RESOLUTION CERTIFYING THE SEIR FOR THE OLD ARMENIAN TOWN PROJECT - RELOCATION OF HISTORICAL RESOURCES**  
**(Continue to July 29, 2008, at 3:30 p.m.)**

Continued as noted.

**(9:30 A.M. "A") APPROVE HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM LOAN FUNDS IN THE AMOUNT OF \$2,100,000 TO BASTIAN COURT LP FOR THE BASTIAN COURT AFFORDABLE MULTI-FAMILY DEVELOPMENT PROJECT**

City Clerk Klisch and City Manager Souza advised the item would be heard at 2:00 p.m. due to a staffing conflict/city staff attending the Board of Supervisor's meeting this morning.

**(10:00 A.M.) WORKSHOP ON THE URBAN WATER MANAGEMENT PLAN**

City Clerk Klisch advised the workshop was published and noticed and testimony would be allowed.

On motion of Acting President Sterling, seconded by Councilmember Dages, duly carried, RESOLVED, the **AGENDA** hereby approved, as amended, by the following vote:

Ayes : Calhoun, Dages, Duncan, Perea, Sterling, Xiong  
 Noes : None  
 Absent : Caprioglio

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**ADOPT CONSENT CALENDAR:**

Councilmembers Dages and Duncan registered "no" votes on item **1-Q**, and Councilmember Calhoun registered a "no" vote on Item **1-H**.

**(1-A) RESOLUTION NO. 2008-178 - APPROVING THE SUMMARY VACATION OF A PORTION OF THE WATER MAIN EASEMENT AT THE NORTHWEST CORNER OF CEDAR AND NEES AVENUES (FRESH AND EASY NEIGHBORHOOD MARKET)**

**(1-B) AWARD A ONE-YEAR REQUIREMENTS CONTRACT WITH PROVISIONS FOR 2 ONE-YEAR EXTENSIONS TO ASPHALT MAINTENANCE CO. IN AN AMOUNT NOT TO EXCEED \$1,752,316 FOR THE APPLICATION OF SLURRY SEAL, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO SIGN THE CONTRACT ON BEHALF OF THE CITY**

**(1-C) RESOLUTION NO. 2008-179 - 2<sup>ND</sup> AMENDMENT TO THE AAR APPROPRIATING \$6,643,600 IN FEDERAL AND STATE GRANTS TO CONSTRUCT TRAFFIC SIGNAL SYNCHRONIZATION IMPROVEMENTS ALONG SHAW AVENUE (HIGHWAY 41 TO HIGHWAY 168) AND ALONG CLOVIS AVENUE (DAKOTA TO JENSEN AVENUES)**

(1-D - ITEM REMOVED FROM AGENDA)

**(1-E) APPROVE THE 1<sup>ST</sup> AMENDMENT TO THE AGREEMENT WITH PROVOST & PRITCHARD ENGINEERING GROUP, INC., INCREASING THE COMPENSATION AMOUNT OF \$1,665,000 TO \$1,832,000, AND INCREASING THE CONTINGENCY AMOUNT FROM \$166,500 TO AN AMOUNT NOT TO EXCEED \$183,200, TO PERFORM ADDITIONAL ENGINEERING SERVICES FOR A HYDROPOWER GENERATION PLANT AND A SITE MASTER PLAN FOR THE SURFACE WATER TREATMENT FACILITY, AND AUTHORIZE THE DIRECTOR OF PUBLIC UTILITIES TO EXECUTE THE AMENDMENT ON BEHALF OF THE CITY**

**(1-F) AUTHORIZE A JOINT AGREEMENT WITH THE COUNTY OF FRESNO TO RECEIVE FUNDS FROM THE 2008 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, TO CONSIDER THE APPLICATION WITH THE PROPOSED SPENDING PLAN, AND TO COMPLETE ALL OTHER CONDITIONS WITHIN THE REQUIRED TIME FRAME, AND AUTHORIZE EXECUTION OF ALL RELATED DOCUMENTS**

**(1-G) APPROVE AND AUTHORIZE THE POLICE CHIEF TO ENTER INTO CONTRACTS FOR CLINICAL ASSESSMENT CONSULTING SERVICES FOR THE MAYOR'S GANG PREVENTION INITIATIVE (MGPI) PROJECT WITH (1) ASSESSMENT, TRAINING & RESEARCH ASSOCIATES IN AN AMOUNT NOT TO EXCEED \$93,600, (2) COMPREHENSIVE YOUTH SERVICES OF FRESNO, INC., IN AN AMOUNT NOT TO EXCEED \$46,800, AND (3) CLINICAL CONSULTANTS IN AN AMOUNT NOT TO EXCEED \$46,800**

(1-I) AUTHORIZE ACCEPTANCE OF \$400,000 GRANT AWARD FROM THE GOVERNOR'S OES, LAW ENFORCEMENT AND VICTIMS SERVICES DIVISION, CAL GRIP GRANT FUNDING PROGRAM, AND AUTHORIZE THE CHIEF OF POLICE TO ENTER INTO AND EXECUTE THE AGREEMENT AND ALL REQUIRED PROGRAM DOCUMENTS

**1. RESOLUTION NO. 2008-181** - 2<sup>ND</sup> AMENDMENT TO THE PAR 2008-163 ADDING TWO (2) PERMANENT PART-TIME STAFF ASSISTANT POSITIONS TO THE POLICE DEPARTMENT, FUNDED BY THE GRANT PROJECT

(1-J) APPROVE REAPPOINTMENT OF SHARI BOGGESS TO THE CIVIL SERVICE BOARD - MAYOR AUTRY

(1-K) AWARD A CONTRACT IN THE AMOUNT OF \$127,616.28 TO KAYCO COMPOSITES, LLC TO FURNISH AND INSTALL AN ICE FLOOR COVER FOR SELLAND ARENA

(1-L) **RESOLUTION NO. 2008-182** - 3<sup>RD</sup> AMENDMENT TO THE AAR 2008-162 APPROPRIATING \$160,000 IN THE PARCS DEPARTMENT FOR PREPARATION OF AN ENVIRONMENTAL ASSESSMENT AND PUBLIC PARTICIPATION FOR THE FUTURE EXTENSION OF THE LEWIS S. EATON TRAIL

(1-M) APPROVE A CONSULTING AGREEMENT WITH BLAIR, CHURCH AND FLYNN TO PROVIDE PROFESSIONAL CIVIL ENGINEERING CONSULTING SERVICES FOR THE DEPARTMENT OF AIRPORTS IN AN AMOUNT NOT TO EXCEED \$150,000, AND AUTHORIZE THE DIRECTOR OF AVIATION TO EXECUTE THE AGREEMENT

(1-N) APPROVE A 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, AND AUTHORIZE THE DIRECTOR OF AVIATION TO EXECUTE THE AGREEMENT

(1-O) APPROVE A CONSULTING AGREEMENT WITH KLEINFELDER WEST TO PROVIDE QUALITY ASSURANCE TESTING AND INSPECTION SERVICES ON DEMAND FOR THE DEPARTMENT OF AIRPORTS IN AN AMOUNT NOT TO EXCEED \$150,000, AND AUTHORIZE THE DIRECTOR OF AVIATION TO EXECUTE THE AGREEMENT

(1-P) APPROVE A CONSULTING AGREEMENT WITH BSK AND ASSOCIATES TO PROVIDE PROFESSIONAL QUALITY ASSURANCE TESTING AND INSPECTION SERVICES AS REQUIRED BY THE DEPARTMENT OF AIRPORTS IN AN AMOUNT NOT TO EXCEED \$150,000, AND AUTHORIZE THE DIRECTOR OF AVIATION TO EXECUTE THE AGREEMENT

(1-R) **BILL NO. B-48** - BILL FOR INTRODUCTION AMENDING THE OFFICIAL LIST OF DESIGNATED SPECIAL SPEED ZONES DESIGNATING SPEED LIMITS FOR VARIOUS STREETS WITHIN THE CITY PURSUANT TO THE FRESNO MUNICIPAL CODE

(1-S) **BILL NO. B-49** - BILL FOR INTRODUCTION AMENDING THE FRESNO MUNICIPAL CODE RELATING TO SOLID WASTE, RECYCLABLE, AND GREEN WASTE COLLECTION AND DISPOSAL

On motion of Councilmember Duncan, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes : Calhoun, Dages, Duncan, Perea, Sterling, Xiong  
 Noes : None  
 Absent : Caprioglio

(1-H) **RESOLUTION NO. 2008-180** - 1<sup>ST</sup> AMENDMENT TO THE PAR 2008-163 ADDING NINE (9) POSITIONS TO THE POLICE DEPARTMENT FOR ACTIVE MONITORING OF VIDEO POLICING CAMERAS AND SEARCH AND RETRIEVAL OF VIDEO EVIDENCE

On motion of Councilmember Duncan, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Resolution No. 2008-180 hereby adopted, by the following vote:

Ayes : Dages, Duncan, Perea, Sterling, Xiong  
 Noes : Calhoun  
 Absent : Caprioglio

**(1-Q)** APPROVE SIDE LETTER OF AGREEMENT WITH THE INTERNATIONAL UNION OF OPERATING ENGINEERS, STATIONARY ENGINEERS, LOCAL 39 - UNIT 1, PROVIDING VACATION DAYS IN RESOLUTION OF AN MOU REOPENER

On motion of Councilmember Duncan, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Item **1-Q** hereby approved, by the following vote:

Ayes : Calhoun, Perea, Sterling, Xiong  
 Noes : Dages, Duncan  
 Absent : Caprioglio

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**(9:00 A.M.) PUBLIC COMMENT PERIOD - UNSCHEDULED ORAL COMMUNICATIONS:**

Tom Lang, Executive Director of the Aquarius Aquarium, requested the city's Sphere of Influence be expanded and a general plan amendment be initiated to include the donated 10 acre aquarium property so city sewer and water lines could be extended to the site to allow development to proceed and explained. Councilmember Calhoun advised he had been in contact with Mr. Lang and staff and was familiar with the issue and requested the city manager direct staff to return with the enabling resolution at the first meeting in August initiating a plan amendment to accommodate the aquarium and allow for orderly development.

Ron Culwell, 126 E. Stuart, expressed concern with the city's code enforcement program and advised of a next door neighbor who he stated was a meth dealer who has continually operated a repair shop in his back yard, and submitted into the record a photograph showing junk in his neighbor's yard. President Xiong advised staff would follow up on the issue.

Brunette Harris, HEAT for Southwest Fresno, spoke to the City Council meetings of 4/25/06 and 5/16/06, wherein Acting President Sterling recused herself from a Hope Vi/Running Horse issue due to a conflict and stated that showed the southwest area had no representation, and spoke in opposition to the use of federal funds for any city project due to the lack of community input.

Bobbie Parks, HEAT for Southwest Fresno, stated her opposition to the use of CDBG funds due to the lack of communication with the southwest area and lack of community input adding the community is continuously neglected.

Rick Mirigian, promoter of the upcoming mixed martial arts (MMA) event scheduled for Woodward Park, stated the recent activity/concerns/fear expressed in the community were due to misconceptions and lack of education or information, and stated MMA was one of the safest sports and appropriate for the park and further elaborated.

Sherry Smith, 4724 W. Swift, spoke to the growth of the Ashlan Cornelia corridor and to the need to open two sections of Gettysburg Avenue to neighborhood traffic as soon as possible.

Gus Gomez, 4709 W. Swift, spoke to the issue of school bus fires/accidents and safety rules.

Christine Arbuckle elaborated on her strong opposition to the upcoming scheduled cage fight (MMA/mixed martial arts event) at Woodward Park, stressed something needed to be done **(2 - 0)**, and urged the city to move the event to a more appropriate venue.

Rev. Dr. L. Dean Chambers, 1225 Divisadero, elaborated on the problem of graffiti in his area and suggested a "graffiti pole" be erected and offered his block as the location.

Paul Hurlbut, 4701 W. Swift, spoke to incorrect or misleading statements/responses received from President Xiong's office on Fire Station 16 issues and questions.

Diane Bennett Smith, 1540 W. LaSierra Dr., HEAT for Southwest Fresno, stated council members were elected by the people and needed to represent the people.

Gail Hurlbut, 4701 W. Swift, cited earlier concerns expressed about the upcoming MMA event and stated youth tackle football was a more dangerous sport and explained.

Richard Smith, 4724 W. Swift, thanked the city for the Ashlan widening project and concurred with the need to open Gettysburg.

Councilmember Calhoun spoke to the upcoming MMA event at Woodward Park and presented questions and comments relative to whether the promoter was made aware of the Selland Arena, if any type of event was permissible at city parks as long as it was blocked from the view of other park users, if the city had no say on events as long as they were not illegal, if the paintball issue was "still hanging out there", if "anything goes" at parks as long as they were not illegal, and if there was anything a council member could do about events of concern, with PARCS Director Cooper, City Attorney Sanchez and City Manager Souza responding throughout. Councilmember Calhoun stated the MMA event was inappropriate for a park and he was strongly opposed to that adding the Selland Arena was a more appropriate venue, thanked Ms. Arbuckle for bringing this issue forth, and stated although he would take no action at this time he would take this matter under advisement, talk with his staff, and possibly take some kind of action in the future.

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**RECESS - 9:53 A.M. - 10:00 A.M.**

**(10:00 A.M.) WORKSHOP ON THE URBAN WATER MANAGEMENT PLAN**

Assistant Public Utilities Director Martin introduced the issue stating the plan was an extensive analysis accounting for the city's water supply and needs to fill the 2025 General Plan and advised the plan was scheduled for adoption by Council in August. Assistant Project Manager Jerry Nakano and Project Engineer Elizabeth Drayer of West Yost Associates, the city's consultant, gave in-depth PowerPoint presentations on the Metropolitan Water Resources Management Plan (Metro Plan) Update and the Urban Water Management Plan **(3 - 0)**.

Upon call, no one from the public wished to be heard.

Extensive Council discussion ensued. Councilmember Duncan spoke to the importance of water conservation stressing the city needed to play a much stronger role in that effort and offered suggestions including acknowledging the city's desert climate, establishing a "Blue Team", and mandating low water landscape options. Councilmember Calhoun presented questions relative to what role the Fresno Irrigation District and Fresno County played in this, if the city's destiny was affected by other entities, if the plan addressed water constraints, current assumptions, why this level of detail was not engaged in years ago, why there have been no updates since the mid 1990s, if Bakersfield's water banking was more sophisticated than Fresno/if Fresno was doing what Bakersfield was doing, and the goal to balance the water supply by 2025 and if the date could be cut back to 2015, with Mr. Martin and Ms. Drayer responding throughout. Councilmember Perea stated Councilmember Duncan hit the nail on the head in terms of conservation and stated he will not vote for the plan in August unless he sees a bigger effort made for water conservation; clarified he liked what was being done and what was being proposed but he wanted the city to step up its efforts, become a little more innovative, and invest more resources and elaborated further; and presented questions and comments relative how much water was used to maintain city facilities, the importance of cities serving as leaders, and zeroescape landscaping and the need for more discussion on that issue, with Mr. Martin responding. Acting President Sterling stated she agreed with comments made, spoke to the problem of median islands in her district with dead landscaping that were covered with cement stating that was a good move as they required very low maintenance, and spoke to the benefit of having small gardens in large yards and to the need for the city to be more aggressive. ACM Rudd responded briefly to various comments made, and stated a group would be put together from city departments to look into issues and opportunities and a presentation would be made to Council in about 60 days on some short and long term strategies to implement. Mr. Martin added he would meet with interested Council members and incorporate some ideas and strategies in the August 19<sup>th</sup> staff report. President Xiong presented questions and comments relative to flexibility of the plan, there being cost factors associated with higher standards, and impacts on future development, especially west of Freeway 99, with Mr. Martin responding. Mr. Martin thanked Council for their support and feedback. Upon question, Mr. Sanchez advised all steps were complied with and the next step was the return of the plan in August for adoption. There was no further discussion.

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**LUNCH RECESS - 11:14 A.M. - 2:00 P.M.**

**(9:30 A.M. "A") APPROVE HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM LOAN FUNDS IN THE AMOUNT OF \$2,100,000 TO BASTIAN COURT LP FOR THE BASTIAN COURT AFFORDABLE MULTI-FAMILY DEVELOPMENT PROJECT**

Interim HCD Manager Cazares displayed the architect's rendering of the proposed complex on the overhead and reviewed the issue, all as contained in the staff report as submitted **(4 - 0)**.

A motion and second was made to approve staff's recommendation.

Extensive discussion ensued with Ms. Cazares, Jesus Padron with Cornerstone Foundation, Assistant P&D Director Bergthold, Cornerstone Church Pastor Jim Franklin, and developer Larry Del Carlo with Mission Housing Development Corporation responding to questions and/or comments of Councilmembers Dages, Calhoun, Perea and Sterling relative to project funding, if this project would take any HOME funds away from other projects, if the Transit Village project was still on-line, if this project was approved before Transit Village, how this project compared to other subsidized projects, how this project compared with market rate projects in the area, square footage of the units, the commercial component, funding process for the two phases, what Cornerstone's role was, difference between market rate and low income rents, what type of services Cornerstone will provide, this being a great project with great rents and commendation to the developer, Cornerstone and staff, potential problems that could arise with a solely low-income project without market rates, and the importance of property management and working with renters.

On motion of Councilmember Duncan, seconded by Acting President Sterling, duly carried, RESOLVED, negotiation and entry of a HOME Program Agreement with Bastian Court LP hereby authorized, subject to prior approval by the City Attorney, and E.A. No. 014-07206 Determination of Exemption for the Bastian Court affordable housing project hereby adopted, by the following vote:

Ayes :	Calhoun, Dages, Duncan, Perea, Sterling, Xiong
Noes :	None
Absent :	Caprioglio

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**RECESS - 2:22 P.M. - 2:30 P.M.**

**(2:30 P.M.) FORECLOSURES UPDATE - STATUS REPORT ON LOCAL RESPONSE BY HUD, THE HOUSING AUTHORITY, THE REDEVELOPMENT AGENCY, BY DESIGN, COMMUNITY HOUSING COUNCIL, CODE ENFORCEMENT, AND THE HOUSING DIVISION**

Assistant Planning & Development Director Bergthold introduced the item stating staff was proposing to have quarterly updates on the foreclosure situation and local response, noted there was strong communication and partnerships between the multiple agencies, and advised a revised "Foreclosure Quarterly Update" had been submitted.

An in-depth PowerPoint presentation was given by Dawn Golik of HUD, David Martin of the Redevelopment Agency, Bob Voss of the Community Housing Council, Housing Authority Executive Director Preston Prince, Jim Price of By Design Financial Solutions, Assistant P&D Director Bishop, Habitat for Humanity Executive Director Tony Miranda, and Interim HCD Manager Cazares, which presentation consisted of Magnitude and Trends, Local Response, Local Impact/Comparisons, Needs, Next Steps, and Federal and State Regulations **(5 - 0)**.

Mr. Bishop and ACM Rudd responded to comments and questions of Councilmember Perea relative to code enforcement, neighborhood blight/eyesores, neighbors willing to water lawns/maintain foreclosed homes and what could be done to work with those willing neighbors, options other than boarding up windows, a lot going on with counseling and not enough on the code side, need to make vacant/blighted homes a priority, need for the city to be in a position to require maintenance/upkeep, and the city of Trent, New Jersey's partnering project with faith-based organizations who buy homes and rents them back to homeowners along with counseling. Councilmember Calhoun stated this was not easy and he appreciated the efforts of everyone, and encouraged the continuation of those efforts and requests for any needed specifics. President Xiong also commended all involved and spoke to his concern with reaching only 23% of those in the foreclosure process and language capacity. There was no further discussion.

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**(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**

Councilmember Duncan advised he had family interest in property at the southeast corner of Belmont and Temperance and recused himself from the proceedings, left at 3:17 p.m., and was absent for the remainder of the meeting.

Assistant Planning & Development Director Bergthold gave a brief overview of the issue and upon his request SEGA Advisory Committee Chair Richard Simonian spoke briefly to the committee's work, to the well-attended June 10th meeting wherein a presentation was made by Calthorpe Associates on the three alternatives, and to the committee's recommendation for Alternative #2. Mr. Bergthold continued and gave a PowerPoint presentation on the issue which consisted of Growth in the Fresno Metro Area, the 9,000 Acre SEGA, Planning Process/Measuring Up to the Challenges (models), Measuring Up to Sustainability, Alternative No. 2, and Variety of Neighborhoods, and concluded stating Alternative No. 2 had the most support and requested the recommendations outlined in the staff report be approved.

Speaking to the issue were: Ted Ruiz, Sr., concerns/request 80 acres bound by DeWolf, Olive, Locan and Fancher Canal be removed from the plan **(6 - 0)**; Doug Brinkley, 1425 E. Weldon, SSCCD Vice Chancellor, support for staff's recommendation/spoke to their proposed campus; Barbara Kutzner, concerns/opposition by a number of small property owners; Clara Moehman, concerns; Andy Hansen-Smith, representing Creative Fresno, support; Al Solis, Sol Development Associates, 906 N Street, support; Michael Sigala, Sigala Inc., on behalf of Fancher Creek Town Center, support for SEGA planning principles/concern with the location/designation of the regional center; James Marshall, 270 S. Temperance, support/spoke to observances/offered suggestions; John Bonadelle, 7030 N. Fruit, support; Melvin Kazarian, 5450 E. Liberty, spoke to family farmland property/protecting farmland; Mike Matthew, 8126 E. Carmen, suggested private trails be deleted from green belt areas; Andrew Kazarian, support; and Karen Musson, 1771 Waverly, concerns/unanswered questions.

Upon call, no one else wished to be heard and President Xiong closed public testimony.

Councilmember Dages commended Mr. Simonian for his leadership and the advisory committee and staff for all the time, work and effort spent on the plan; upon his questions Mr. Bergthold (1) explained the 30-day provision to make changes once approved, (2) clarified neither staff nor the planning commission recommended moving the second community center, and (3) the 39.52 acres on the southeast corner of Jensen and Fowler would be 100% flex industrial. Councilmember Dages spoke to various issues and the regional center and presented additional questions/comments relative to distances between shopping centers, what a "right distance" was, concern with developing a plan today that will hurt Fancher Creek tomorrow, the higher densities in the SEGA taking away from other areas, need to design the SEGA right, why the original "community center" designation was changed, when the EIR process will start, how much productive farmland will be lost, and if the flood control basin near McKinley and DeWolf could be used as a regional park, with Mr. Bergthold and Doug Harrison, former director of the Fresno Metropolitan Flood Control District, responding throughout. **(7 - 0)** Councilmember Dages made a motion to approve staff's recommendation and requested staff look further at the regional shopping center stating a mistake can not be made. Councilmember Perea seconded the motion, concurred with Councilmember Dages on the shopping centers, requested staff respond to Mr. Sigala's letter in writing within a week, and commented on the issue stating this was an exciting plan and an opportunity for growing in a smarter way, stated challenge #1 will be working with property owners and challenge #2 will be the entitlement process and the excessive amount of time it takes to implement a lot of the land use decisions, and questioned how staff saw implementing such an ambitious plan, with Planning & Development Director Yovino responding. Councilmember Perea spoke to the need to be business friendly and stated he was interested to see how the process works as time rolls on.

Mr. Bergthold and Mr. Yovino responded to questions and comments of Acting President Sterling and President Xiong relative to the EIR process/when it started/who was conducting it/if it would address issues such as the regional center, if staff reviewed the packet of letters submitted, support for further discussion on the regional center, advocacy level for Freeway 180 east, water issues including level of city involvement and impact on future development, why there has been much concentration on the SEGA and not the west area, if the area west of 99 needed to be addressed before the County Supervisors will support the plan, if there has been communication with the county, what the city has done with respect to the west area, what can be done as partners with the county, and the current growth west of 99 and the need to balance priorities.

On motion of Councilmember Dages, seconded by Councilmember Perea, duly carried, RESOLVED, SEGA Growth Alternative No. 2 as recommended by the Planning Commission hereby approved 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 four (4) related addendum recommendations of the Planning Commission outlined in the staff report (A, B, C and D) hereby approved, by the following vote:

Ayes :	Calhoun, Dages, Perea, Sterling, Xiong
Noes :	None
Absent :	Caprioglio
Recused :	Duncan

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

The City Council recessed at 5:02 p.m. and convened in joint session with the Redevelopment Agency.

**APPROVE AGENCY MINUTES OF JUNE 17, 2008**

On motion of Acting President Sterling, seconded by President Xiong, duly carried, RESOLVED, the Agency minutes of June 17, 2008, approved as submitted.

**(“A”) JOINT HEARING TO CONSIDER ADOPTION OF ORDINANCE DELETING THE DEBT INCURRENCE TIME LIMIT PURSUANT TO SB 211 FROM EIGHT (8) REDEVELOPMENT PLANS WITHIN THE MERGER ONE REDEVELOPMENT PROJECT**

**1. BILL NO. B-50 - ORDINANCE NO. 2008-47 - DELETING 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**

RDA Consultant Freeman clarified the subject ordinance bill was for introduction *and* adoption and reviewed the issue, all as contained in the staff report as submitted.

On motion of Acting President Sterling, seconded by Councilmember Dages, duly carried, RESOLVED, the above entitled Bill No. B-50 adopted as Ordinance No. 2008-47, by the following vote:

- Ayes : Dages, Perea, Sterling, Xiong, Calhoun
- Noes : None
- Absent : Caprioglio, Duncan

**(“B”) AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE AN OWNER PARTICIPATION AGREEMENT (OPA) WITH FRESH & EASY NEIGHBORHOOD MARKET, INC., FOR DEVELOPMENT OF A GROCERY STORE AT 2820 TULARE STREET IN THE URBAN RENEWAL PLAN FOR MARIPOSA PROJECT (AGENCY ACTION)**

Executive Director Murphey gave an in-depth review of the issue, all as contained in the staff report as submitted

Speaking to the issue were: Sal Gonzales, 2881 E. Huntington, support; and Project Manager Shawn Goetzinger with Evergreen Devco, the developer representing Fresh & Easy, who stated his company looked forward to opening a store downtown and expanded further on the company and project.

Member Sterling spoke in support stating Fresh & Easy was going to be a great anchor and made a motion to approve staff's recommendation, which motion was seconded by Member Xiong. Member Perea stated he hoped a lead certified market would be built, added this was an exciting time and a huge milestone for downtown residents, and upon his question Ms. Murphey stated construction would be finalized by the end or first of the year. Upon questions of Member Xiong and Chair Calhoun, Mr. Gretzinger stated seven applications for stores were currently on file, the Ashlan/Cornelia store was expected to start soon, and Tesco was founded in the U.K.

On motion of Member Sterling, seconded by Member Xiong, duly carried, RESOLVED, the Executive Director authorized to negotiate and execute an OPA with Fresh & Easy and take such further actions as may be necessary or appropriate to carry out the Agency's obligations under the Agreement, subject to approval as to form by the City Attorney's Office, by the following vote:

- Ayes : Dages, Perea, Sterling, Xiong, Calhoun
- Noes : None
- Absent : Caprioglio, Duncan

**(“C”) JOINT MEETING WITH THE REDEVELOPMENT AGENCY TO CONSIDER ADOPTION OF AN AGENCY RESOLUTION CERTIFYING THE SEIR FOR THE OLD ARMENIAN TOWN PROJECT - RELOCATION OF HISTORICAL RESOURCES (Continue to July 29, 2008, at 3:30 p.m.)**

Continued as noted.

**ADJOURNMENT**

There being no further business to bring before the joint bodies, the hour of 5:22 p.m. having arrived and hearing no objection, Vice Chair Calhoun declared the joint meeting and City Council meeting adjourned.

**Approved** on the \_\_\_29<sup>th</sup>\_\_\_\_\_ day of \_\_\_\_\_ July \_\_\_\_\_, 2008.

\_\_\_\_\_/s/\_\_\_\_\_  
 \_\_\_\_\_ ATTEST: \_\_\_\_\_/s/\_\_\_\_\_  
 Brian Calhoun, Agency Vice Chair Yolanda Salazar, Assistant City Clerk

152-24

7/22/08