

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
	Paul Caprioglio	Councilmember
	Mike Dages	Councilmember
	Jerry Duncan	Councilmember
	Henry Perea	Councilmember
	Cynthia Sterling	Acting Council President
	Blong Xiong	Council President

Andy Souza, City Manager
 James Sanchez, City Attorney
 Becky Klisch, City Clerk
 Yolanda Salazar, Assistant City Clerk

Imam Ali Ghazvini of the Islamic Cultural Center gave the invocation, and President Xiong led the Pledge of Allegiance.

PROCLAMATION OF “BINATIONAL OBESITY AND DIABETES PREVENTION DAY” - MAYOR AND CITY COUNCIL

Read and presented.

PRESENTATION OF THE SPCA PETS OF THE MONTH - COUNCILMEMBER DAGES

The pets available for adoption, two 8-month old male Siamese kittens, were presented.

PROCLAMATION OF “WHITE CANE SAFETY DAY” - MAYOR’S OFFICE

Read and presented.

PROCLAMATION OF “COLONEL ALLEN ALLENSWORTH DAY” - MAYOR’S OFFICE AND ACTING PRESIDENT STERLING

Not presented.

APPROVE MINUTES OF SEPTEMBER 30, 2008:

On motion of Councilmember Caprioglio, seconded by Acting President Sterling, duly carried, RESOLVED, the minutes of September 30, 2008, approved as submitted.

COUNCIL MEMBER REPORTS AND COMMENTS:

Acting President Sterling commented on her participation at the “You Can Be Day” event last Friday and thanked the West Fresno School District for inviting her.

Councilmember Calhoun referenced the recent back and forth comments in the Fresno Bee regarding influences on council members and stated he wanted it made clear that he treats everyone fairly, he does not put anyone before someone else, and money does not buy entree to his office, and stated that has always been his policy and treating everyone fairly was very important to him.

President Xiong reported on his attendance/participation at the (1) KSEE Hispanic Portrait of Success luncheon along with council members Sterling and Caprioglio and congratulated the winners, (2) the Central California Legal Services 2008 Champions of Justice Dinner and congratulated the winners, (3) the Start it Up competition and congratulated the winner and commended the organizers, (4) the Islamic Cultural Center family carnival, and (5) the 2nd Annual Punjabi Cultural event at Woodward Park.

APPROVE AGENDA:

(9:30 A.M. ‘B’) APPROVE THE ASSIGNMENT/ASSUMPTION OF A CITY HOME PROGRAM CHDO AGREEMENT FROM FRESNO WEST COALITION FOR ECONOMIC DEVELOPMENT TO HABITAT FOR HUMANITY FRESNO, INC., FOR AN AFFORDABLE SINGLE-FAMILY HOME PROJECT

Removed from the agenda by staff/to be rescheduled.

(9:30 A.M. ‘C’) RESOLUTION - 30TH AMENDMENT TO AAR 2008-162 APPROPRIATING \$4,070,400 OF EXCESS CARRYOVER FOR VARIOUS CITYWIDE PROGRAMS

-and-

(11:00 a.m. ‘C’) CLOSED SESSION/CONFERENCE WITH LABOR NEGOTIATOR - EMPLOYEE ORGANIZATIONS:

1. FRESNO POLICE OFFICERS ASSOCIATION (FPOA) MANAGEMENT UNIT 9
2. FRESNO POLICE OFFICERS ASSOCIATION (FPOA) NON-SUPERVISORY UNIT 4

Councilmember Calhoun noted the 9:30 a.m. item contained \$550,000 for public safety recruitment/retention and he felt that matter needed to be debated *after* the closed session negotiation item scheduled for 11:00 a.m. Brief discussion ensued wherein City Attorney Sanchez and City Manager Souza clarified issues relative to the funding sources and advised the 9:30 item was not time-sensitive and hearing it after closed session, or on another date, was at Council’s discretion.

On motion of Councilmember Calhoun, seconded by President Xiong, duly carried, RESOLVED, the 9:30 a.m. ‘C’ item to be heard this date after closed session, by the following vote:

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

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

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

ADOPT CONSENT CALENDAR:

President Xiong pulled Item **1-J** from the Consent Calendar for separate discussion/action.

Councilmember Calhoun registered a “NO” vote on Item **1-L**.

(1-A) RESOLUTION NO. 2008-268 - DEDICATING CERTAIN CITY-OWNED PROPERTY FOR PUBLIC STREET PURPOSES AT THE N. BRYAN AND W. ALLUVIAL AVENUES INTERSECTION ALONG THE WEST SIDE OF THE RIVERSIDE GOLF COURSE

(1-B) RESOLUTION NO. 2008-269 - 26TH AMENDMENT TO AAR 2008-162 APPROPRIATING \$54,000 FOR MAINTENANCE OF

CFD NO. 2 AND ELIGIBLE DEVELOPER DEPOSIT REFUNDS FOR ACCEPTED TRACTS

(1-C) RESOLUTION NO. 2008-270 - 27TH AMENDMENT TO AAR 2008-162 APPROPRIATING \$123,000 FOR MAINTENANCE OF CFD NO. 11 AND ELIGIBLE DEVELOPER REFUNDS FOR ACCEPTED TRACTS

(1-D) RESOLUTION NO. 2008-271 - AUTHORIZING APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY, THROUGH THE CALIFORNIA GOVERNOR'S OFFICE OF HOMELAND SECURITY, FOR THE INTEROPERABLE EMERGENCY COMMUNICATION GRANT PROGRAM, AND COMPLETION OF RELATED DOCUMENTS

(1-E) AWARD A CONTRACT IN THE AMOUNT OF \$685,851 TO JWT GENERAL ENGINEERING, INC., FOR INSTALLATION OF ASPHALT CONCRETE OVERLAY IN NO NEIGHBORHOOD LEFT BEHIND AREAS 59 AND 60

(1-F) RESOLUTION NO. 2008-272 - 19TH AMENDMENT TO AAR 2008-162 RE-BUDGETING \$16,000 IN GRANT FUNDS FROM THE DEPARTMENT OF CONSERVATION BEVERAGE CONTAINER GRANT PROGRAM

(1-G) RESOLUTION NO. 2008-273 - 18TH AMENDMENT TO AAR 2008-162 APPROPRIATING \$162,100 IN CALIFIRE URBAN FORESTRY GRANT PROGRAM FUNDS

(1-H) AWARD A REQUIREMENTS CONTRACT IN THE AMOUNT OF \$348,128.68 TO NEPTUNE TECHNOLOGY GROUP, INC., FOR 3/4 - 2" WATER METERS

(1-I) APPROVE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE FRESNO METROPOLITAN MUSEUM ("MET") FOR A COLLABORATIVE PARTNERSHIP WITH THE PARCS DEPARTMENT TO CONDUCT MOBILE ART AND SCIENCE PROJECTS
1. RESOLUTION NO. 2008-274 - 29TH AMENDMENT TO AAR 2008-162 APPROPRIATING \$38,200 FOR THE NEW MOBILE MET VEHICLE

(1-K) RESOLUTION NO. 2008-275 - INITIATING REZONING ON 63 PARCELS OF LAND WITHIN THE SPHERE OF INFLUENCE (OLIVE-POLK NO. 2 REORGANIZATION), LOCATED ON THE WEST SIDE OF N. CORNELIA BETWEEN W. BELMONT AND W. MCKINLEY AVENUES AND ON THE NORTHWEST CORNER OF W. MCKINLEY AND N. CORNELIA AVENUES

On motion of Councilmember Caprioglio, seconded by Acting President Sterling, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

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

(1-L) BILL NO. B-61 - ORDINANCE NO. 2008-59 - TEXT AMENDMENT APPLICATION NO. TA-08-01 - AMENDING THE TEXT OF THE ZONING ORDINANCE RELATING TO THE USE OF DECORATIVE FLAGS AS ON-SITE SUBDIVISION SIGNS

On motion of Councilmember Caprioglio, seconded by Acting President Sterling, duly carried, RESOLVED, the above entitled Bill No. B-61 adopted as Ordinance No. 2008-59, by the following vote:

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

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CONTESTED CONSENT CALENDAR:

(1-J) APPROVE RENEWAL OF ADDENDUM NO. 7 TO THE AMENDED AND RESTATED AGREEMENT WITH THE CENTRAL CALIFORNIA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (CCSPCA)
1. RESOLUTION NO. 2008-276 - 28TH AMENDMENT TO AAR 2008-162 APPROPRIATING \$80,800 IN THE PARCS DEPARTMENT TO FULLY FUND THE FY 2009 AGREEMENT WITH THE SPCA

President Xiong commented briefly on different challenges within the parks and upon his question PARCS Director Cooper advised the additional \$80,000 to fully fund the 2009 agreement was not coming from the PARCS department budget, and City Manager Souza advised the funding would come from the budget's \$125,000 unappropriated balance.

On motion of President Xiong, seconded by Councilmember Perea, duly carried, RESOLVED, renewal of Addendum No. 7 to the amended and restated agreement with the CCSPCA hereby approved, and the above entitled Resolution No. 2008-276 hereby adopted, by the following vote:

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

(9:00 A.M.) UNSCHEDULED COMMUNICATIONS:

Paul Hurlbut, 4701 W. Swift, spoke to the importance of citizens and local government working together and to how Fire Station 16 could have remained at its current location at a cost less than the new station.

Sherry Smith, 4724 W. Swift, spoke to the need for everyone, including public safety officials, to change their outlook and start looking at energy-saving needs.

"Big Sue", G Street Sheds, spoke to the upcoming one year anniversary of the sheds for the homeless and to their success, and requested a celebration event be held.

Joan Jabin, Joshua Cranston, and Camille Russell, 6198 W. Pinedale, all spoke in support of the Hmong gardeners and their community garden and requested Council reconsider the decision to move the garden for construction of a police substation. **(2 - 0)** Councilmember Perea encouraged everyone in support of the Hmong garden to email/write the City Council stating two members were supportive of keeping the garden where it is but more public support needed to be shown if a change is to occur.

(9:15 A.M. #1) REQUEST CITY ATTORNEY AND STAFF TO ADDRESS ANY LEGAL AND PLANNING CONCERNS WITH APPROVING DEVELOPMENT IN THE VICINITY OF THE PROPOSED VETERANS' BOULEVARD SO LONG AS THE ESTIMATED COMPLETION DATE AND FUNDING OF VETERANS' BOULEVARD REMAIN UNCERTAIN - COUNCILMEMBER CALHOUN

Councilmember Calhoun gave an in-depth overview of the issue, all as contained in his report to Council as submitted, and made a motion to request the city attorney and staff to return in 30 days with response to possible legal and planning concerns regarding development in the vicinity of the proposed Veterans' Boulevard recognizing that the estimated completion date and funding of Veterans' Boulevard is currently uncertain. Upon call, the motion died for lack of a second.

Upon the request of Councilmember Perea, Planning Manager Unruh, Interim P&D Director Bergthold and City Attorney Sanchez stated the 2025 General Plan called for the Veterans' Boulevard interchange/crossing and spoke to their perspective, the status, and financing/funding, and responded briefly to questions of President Xiong relative to legal work being done and if staff would be bringing something back to Council. There was no further discussion.

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(9:15 A.M. #2) RESOLUTION NO. 2008-277 - APPROVE A 40-DAY SUSPENSION OF THE ENFORCEMENT OF FMC SECTION 12-405-G (WHICH PROHIBITS ISSUANCE OF ANY PERMIT REQUIRED BY THE FMC UNTIL ANY SUCH REQUIRED SPECIAL PERMIT IS OBTAINED AND UNTIL ALL TERMS AND CONDITIONS ARE COMPLIED WITH)

1. APPROVE AGREEMENT WITH ELECTRONIC RECYCLERS INTERNATIONAL FOR THE EARLY ISSUANCE OF PERMITS FOR A PROJECT LOCATED AT 3243 S. EAST AVENUE

Interim P&D Director Bergthold reviewed the issue, all as contained in the staff report as submitted, and recommended approval

stating this was the kind of processing desired in the city.

Acting President Sterling thanked Electronic Recyclers for their plans and for the service they provide to those trying to re-enter the workforce, and made a motion to approve staff's recommendation, which was seconded by Councilmember Caprioglio. Councilmember Duncan also expressed his support and added suspending the code for something that made clear sense showed that the code needed to be updated/fixd. Mr. Bergthold responded briefly to questions of President Xiong relative to whether this issue was tied in any way to the work currently being done by staff on recycling operations/independent operators.

On motion of Acting President Sterling, seconded by Councilmember Caprioglio, duly carried, RESOLVED, the above entitled Resolution No. 2008-277 hereby adopted, and the subject agreement with Electronic Recyclers International hereby approved, by the following vote:

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

(9:30 A.M. "A") RESOLUTION NO. 2008-278 - AMENDING THE IMPLEMENTING POLICIES RELATING TO THE CITYWIDE REGIONAL STREET AND NEW GROWTH AREA MAJOR STREET IMPACT FEES AS PREVIOUSLY ADOPTED BY RES. 2007-291

City Engineer Mozier reviewed the issue, all as contained in the staff report as submitted, and recommended approval.

Mike Prandini with the Building Industry Association spoke to the issue and urged Council's support.

Mr. Mozier, City Attorney Sanchez, Deputy City Attorney Phelan and Public Works Director Weimiller responded at length to questions and comments of Councilmember Calhoun relative to whether parks/fire/police fees were affected, why those fees were being paid without objection, why street fees were at issue and not the others, why an exception was being made for street fees, the misunderstanding when the policy was developed, if a case could be made that there was the same confusion with the other fees, the associated cost issue/revenue that will be lost, and the fairness issue/charging for some fees but not the others.

Acting President Sterling thanked staff for explaining the issue to her and the BIA and developers for staying at the table and made a motion to approve staff's recommendation.

On motion of Acting President Sterling, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Resolution No. 2008-278 hereby adopted, by the following vote:

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

(*NOTE - City Attorney Sanchez and City Engineer Mozier made a clarification on this action prior to the 10:05 a.m. hearing.)

(10:00 A.M.) HEARING ON CFD NO. 11, ANNEXATION NO. 21 (FINAL TRACT MAP NO. 5549)

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1. RESOLUTION NO. 2008-279 - ANNEXING TERRITORY AND AUTHORIZING THE LEVY OF A SPECIAL TAX
2. RESOLUTION NO. 2008-280 - CALLING A SPECIAL MAILED-BALLOT ELECTION
3. RESOLUTION NO. 2008-281 - DECLARING ELECTION RESULTS
4. BILL NO. B-62 - ORDINANCE NO. 2008-60 - LEVYING A SPECIAL TAX FOR PROPERTY TAX YEAR 2008-2009 AND FUTURE TAX YEARS

President Xiong announced the time had arrived to consider the issue, opened the hearing, and upon his question City Engineer Mozier advised the staff report as submitted was complete and there was no new information to add.

Upon call, no one wished to be heard and President Xiong closed the hearing.

On motion of Acting President Sterling, seconded by Councilmember Caprioglio, duly carried, RESOLVED, the above entitled Resolution Nos. 2008-279, 2008-280 and 2008-281 hereby adopted, and the above entitled Bill No. B-62 adopted as Ordinance No. 2008-60, by the following vote:

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

RECESS - 10:04 A.M. - 10:15 A.M.

(9:30 a.m. "A") *Clarification from earlier action:*

City Attorney Sanchez and City Engineer Mozier clarified the fees that were ultimately proposed to be deferred were not included in the assumptions in the initial study and further explained.

(10:05 A.M.) HEARING ON CFD NO. 11, ANNEXATION NO. 35 (FINAL TRACT MAP NO. 5710)

- 1. RESOLUTION NO. 2008-282 - ANNEXING TERRITORY AND AUTHORIZING THE LEVY OF A SPECIAL TAX**
- 2. RESOLUTION NO. 2008-283 - CALLING A SPECIAL MAILED-BALLOT ELECTION**
- 3. RESOLUTION NO. 2008-284 - DECLARING ELECTION RESULTS**
- 4. BILL NO. B-63 - ORDINANCE NO. 2008-61 - LEVYING A SPECIAL TAX FOR PROPERTY TAX YEAR 2008-2009 AND FUTURE TAX YEARS**

President Xiong announced the time had arrived to consider the issue, opened the hearing, and upon his question City Engineer Mozier advised the staff report as submitted was complete and there was no new information to add.

Upon call, no one wished to be heard and President Xiong closed the hearing.

(3 - 0) On motion of President Xiong, seconded by Councilmember Caprioglio, duly carried, RESOLVED, the above entitled Resolution Nos. 2008-282, 2008-283 and 2008-284 hereby adopted, and the above entitled Bill No. B-63 adopted as Ordinance No. 2008-61, by the following vote:

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

(10:15 A.M. #1) HEARING ON CFD NO. 11, ANNEXATION NO. 26 (FINAL TRACT MAP NO. 5471)

- 1. RESOLUTION NO. 2008-285 - ANNEXING TERRITORY AND AUTHORIZING THE LEVY OF A SPECIAL TAX**
- 2. RESOLUTION NO. 2008-286 - CALLING A SPECIAL MAILED-BALLOT ELECTION**
- 3. RESOLUTION NO. 2008-287 - DECLARING ELECTION RESULTS**
- 4. BILL NO. B-64 - ORDINANCE NO. 2008-62 - LEVYING A SPECIAL TAX FOR PROPERTY TAX YEAR 2008-2009 AND FUTURE TAX YEARS**

President Xiong announced the time had arrived to consider the issue, opened the hearing, and upon his question City Engineer Mozier advised the staff report as submitted was complete and there was no new information to add.

Upon call, no one wished to be heard and President Xiong closed the hearing.

On motion of Councilmember Duncan, seconded by Councilmember Caprioglio, duly carried, RESOLVED, the above entitled Resolution Nos. 2008-285, 2008-286 and 2008-287 hereby adopted, and the above entitled Bill No. B-64 adopted as Ordinance No. 2008-62, by the following vote:

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

(10:15 A.M. #2) RESOLUTION NO. 2008-288 - APPROVING THE FINAL MAP OF TRACT NO. 5471, ACCEPTING DEDICATED PUBLIC USES THEREIN, AND AUTHORIZING THE PUBLIC WORKS DIRECTOR, PUBLIC UTILITIES DIRECTOR, AND THE PLANNING & DEVELOPMENT DIRECTOR TO EXECUTE THE NECESSARY DOCUMENTS

President Xiong announced the item and upon his question a P&D staff member advised the staff report as submitted was complete and there was no new information to add.

On motion of Councilmember Duncan, seconded by Councilmember Caprioglio, duly carried, RESOLVED, the above entitled Resolution No. 2008-288 hereby adopted, by the following vote:

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

RECESS - 10:20 A.M. - 11:00 A.M.

(11:00 A.M.) CLOSED SESSION:

(‘A’) CONFERENCE WITH LEGAL COUNSEL/EXISTING LITIGATION/FRIEND-OF-THE-COURT PARTICIPATION - CASE NAME: QUALIFIED PATIENTS ASSOCIATION, ET AL., V. CITY OF ANAHEIM

(‘B’) CONFERENCE WITH LEGAL COUNSEL/ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION: COF V. THE ZONE SPORTS CENTER LLC, GRANITE PARK KIDS FOUNDATION, ET AL.

(‘C’) CONFERENCE WITH LABOR NEGOTIATOR - EMPLOYEE ORGANIZATIONS:
1. FRESNO POLICE OFFICERS ASSOCIATION (FPOA) MANAGEMENT UNIT 9
2. FRESNO POLICE OFFICERS ASSOCIATION (FPOA) NON-SUPERVISORY UNIT 4

The City Council met in closed session in Room 2125 at the hour of 11:00 a.m. to consider the above matters and reconvened in regular open session at 11:46 a.m.

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CLOSED SESSION ANNOUNCEMENT:

City Attorney Sanchez announced, in the matter of Item ‘A’, Council voted unanimously to direct staff to join in an amicus effort on behalf of the city of Anaheim.

(9:30 A.M. ‘C’) RESOLUTION - 30TH AMENDMENT TO AAR 2008-162 APPROPRIATING \$4,070,400 OF EXCESS CARRYOVER FOR VARIOUS CITYWIDE PROGRAMS

City Manager Souza gave an in-depth overview of the issue, all as contained in the staff report as submitted.

Speaking to the issue were: Alex Correa, representing FCEA, who stated the majority of the belt-tightening was done by city employees who shouldered the workload of unfilled positions and requested a decision on the allocation of funds be delayed until Council hears the input/proposals/recommendations from others; and Sandra Brock, speaking as a member of the Employees Retirement System, who submitted written information into the record, spoke to the inequity between the Employees' and the Fire & Police systems, and requested funding be allocated to conduct a study on the 1%/2% inconsistency for employees with 25+ years of service and explained.

Proceedings were continued to 2:00 p.m.

LUNCH RECESS - 12:00 NOON - 2:00 P.M.

Acting President Sterling stated she was comfortable with the booking fees and spoke to the need to put some money away, and presented questions and comments at length relative to the neighborhood projects and how they will be identified, if staff could provide a list of the projects to Council in advance of the normal agenda process so Council can discuss them with staff, why no resources were being proposed for parks maintenance needs, what the cost would be for a retirement study, need for Council to give some consideration to employee benefit concerns, suggestion to have a Council committee to look at issues, if this matter was time-sensitive, and need to delay action to allow for further review and discussion on issues, with Mr. Souza responding throughout. Acting President Sterling made a motion to appropriate \$220,000 for the County Jail Booking Fees and to hold the balance over to the end of the month so Council can have further discussions with the administration. Upon call the motion died for lack of a second.

Councilmember Calhoun thanked the mayor and staff on a job well done, stated he agreed with putting money away for a rainy day but felt it was premature to identify where these funds should go at this time, and stated he felt it was more appropriate to place the full amount in the economic uncertainty reserve for the difficult times ahead and made a motion to place the \$4,070,400 into the 2010 Economic Uncertainty Reserve. Councilmember Duncan seconded the motion stating he concurred 100%, added this country was facing the worst financial situation it has faced in the last 50 years and elaborated, stated all the programs were worthy but the city could not afford them and now was not the time to do discretionary spending, and asked Council to be fiscally responsible, place the money in a reserve, and give the next administration a chance to possibly save some city jobs and critical programs.

Councilmember Perea stated the real trick of governing was finding the right balance of doing what is financially prudent and continuing to provide quality services for people and he supported this proposal as it struck the right balance and explained, stated there were still a lot of neighborhoods struggling to survive not only because of the lack of infrastructure but also the lack of enough police resources and stressed now was not the time to retreat on the commitment to public safety, and presented questions relative to the Universal Hiring Program grant, with Chief Dyer responding. Councilmember Perea continued stating he agreed with Chief Dyer that the economy is tied to crime and stressed the city needed to continue to hire police officers, and urged Council to think about the neighborhoods and support the Autry/administration proposal as it was a good plan. Councilmember Dages stated he agreed with Councilmember Perea and Chief Dyer, Mr. Souza responded to his questions relative to the \$1.1 million for neighborhood projects, and Councilmember Dages spoke to his support for the proposal and reasons therefor.

Councilmember Caprioglio stated the belt-tightening and efforts of all employees, officials and council members were sincerely appreciated, stated those efforts needed to be supported by saving as much money as possible so next year's budget can be balanced for not only the employees but also the taxpayers, added if the budget is balanced again there will be no reduction in services or staff who provides those services, and stated he felt that should be the ultimate goal and that was why he would support the motion on the floor.

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Mr. Souza stated he appreciated the comments and concurred this had been a team effort, and stated this plan was consistent with the three sound principles that the budget is built upon and elaborated on the proposals and how they meet those principles.

President Xiong stated irregardless of the economic downpour the city still had its needs and he could not see putting all this money into a reserve, and added putting this money away would impact citizens (4 - 0) and he hoped Council would not support the motion as this plan looked at where the city was financially and at the city's daily responsibilities.

A motion of Councilmember Calhoun, seconded by Councilmember Duncan, to place the \$4,070,400 of excess carryover in the FY 2010 Economic Uncertainty Reserve fund failed, by the following vote:

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

A motion of Councilmember Perea, seconded by Councilmember Dages, to adopt the Resolution as recommended by staff failed, due to the need for 5 affirmative votes, by the following vote:

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

Upon question, Mr. Sanchez clarified the money would remain in the general fund and an item would have to be brought back to Council for consideration to do something different.

ADJOURNMENT

There being no further business to bring before the City Council, the hour of 2:37 p.m. having arrived and hearing no objection, President Xiong declared the meeting adjourned.

Approved on the ____ 21st ____ day of ____ October _____, 2008.

_____/s/_____
Blong Xiong, Council President

ATTEST _____/s/_____
Yolanda Salazar, Assistant City Clerk