

OFFICIAL COPY

Fresno, California

April 1, 2008

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
	Larry Westerlund	Councilmember
	Blong Xiong	Council President

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

Minister Donald Anderson, Associate Pastor of Fresno Temple Church of God in Christ gave the invocation, and President Xiong led the Pledge of Allegiance.

PRESENTATION OF THE SPCA PET OF THE MONTH - COUNCILMEMBER DUNCAN

Special guest "Tango", a two year old male Cheetah from Cathaven, a non-profit organization, was presented, and representatives from Cathaven and the SPCA spoke to their work with wildlife.

COMMENDATION TO THE INFORMATION SERVICES, GENERAL SERVICES, AND POLICE DEPARTMENTS FOR TEAMWORK RESULTING IN THE RENOVATION OF THE POLICE DEPARTMENT 9-1-1 CENTER AND TRANSITION TO THE NEW CENTER

Commendation made.

PROCLAMATION OF "SAN JOAQUIN MEMORIAL SOCCER TEAM DAY" - COUNCILMEMBER PEREA

Read and presented.

APPROVE MINUTES OF MARCH 25, 2008

On motion of Councilmember Dages, seconded by Councilmember Westerlund, duly carried, RESOLVED, the minutes of March 25, 2008, approved as submitted.

COUNCIL MEMBER REPORTS AND COMMENTS:

COUNCILMEMBER DAGES: Request staff schedule an item on the April 8th agenda on home builders being cited by Code Enforcement for model home flags, and request issuance of citations be stopped until Council addresses the issue. City Manager Souza stated he was briefed on this matter and signage was also at issue and explained, and stated he would check with the city attorney's office on the citation request and added staff looked forward to discussing the matter on the 8th.

COUNCILMEMBER STERLING: Request code enforcement look into (1) vacant Domino's Pizza buildings due to crime and people living in the buildings, and (2) odor emanating from the old Helen Smades real estate office on Shaw Avenue across from Fashion Fair; and newspaper article on the absence of officials at a Cesar Chavez event, concern with Council receiving notice of the PARCS-sponsored event late or not at all, and report on attendance of public officials at the numerous Cesar Chavez events this past weekend.

APPROVE AGENDA:

(3:00 P.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of March 11, 2008

City Clerk Klisch added approve Agency minutes of March 25 to the title and added they were included in Council's packet.

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

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

ADOPT CONSENT CALENDAR:

(1-A) AUTHORIZING THE PLANNING & DEVELOPMENT DIRECTOR TO EXECUTE AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PLANNING RESOURCE ASSOCIATES, INC., FOR PROACTIVE RE-ZONING AND ANNEXATION AND OTHER PLANNING CONSULTANT SERVICES (PROCESSING OF DEVELOPMENT PROJECTS)

(1-B) APPROVE A FIVE-YEAR SERVICE CONTRACT, OR CONTRACTS, WITH AIR-TRANSPORT IT SERVICES, INC., (AirIT) TO PROVIDE FOR COMMON USER AIRLINE CHECK-IN EQUIPMENT AND A NEW FLIGHT INFORMATION DISPLAY SYSTEM AT THE FRESNO YOSEMITE INTERNATIONAL AIRPORT

1. RESOLUTION NO. 2008-65 - 78TH AMENDMENT TO THE AAR APPROPRIATING \$1,024,400 OF ONE-TIME COSTS FOR THE PURCHASE AND INSTALLATION OF COMMON USE TERMINAL EQUIPMENT (CUTE) HARDWARE AND SOFTWARE

2. APPROVE INCREASE IN THE AIRLINE EQUIPMENT CHARGE OF THE MFS FROM \$0.00 TO THIRTY CENTS (\$0.30) PER ENPLANED PASSENGER TO COVER THE ANNUAL COST OF AirIT's SYSTEM WARRANTIES

(1-C) RESOLUTION NO. 2008-66 - APPROVING THE REALLOCATION OF \$60,000 OUT OF CONTINGENCY FOR PRELIMINARY ENGINEERING ON THE PREVIOUSLY APPROVED HERNDON CANAL BANKSIDE TRAIL CAPITAL PROJECT

(1-D) AWARD A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$716,196 TO MARK WILSON CONSTRUCTION, INC., FOR CONSTRUCTION OF THE DIESEL EXHAUST SYSTEMS FOR FIRE STATION NOS. 1 THRU 10, NO. 12 AND NO. 14, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR ASSIGNEE TO SIGN THE CONTRACT ON BEHALF OF THE CITY

(1-E) AWARD A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$1,144,132 TO HENDERSON CONSTRUCTION CO., FOR INTERSECTION IMPROVEMENTS AT BLACKSTONE AND BULLARD AVENUES, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO SIGN THE CONTRACT ON BEHALF OF THE CITY

1. RESOLUTION NO. 2008-67 - 79TH AMENDMENT TO THE AAR APPROPRIATING \$568,500 FOR COMPLETION OF THE STREET IMPROVEMENTS

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, Westerlund, Xiong
 Noes : None
 Absent : None

(1-F) APPROVE SIDE LETTERS OF AGREEMENT WITH THE INTERNATIONAL UNION OF OPERATING ENGINEERS, STATIONARY ENGINEERS, LOCAL 39, UNIT 1, RELATING TO CERTIFICATE PAY PROVISIONS

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

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

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

Sherry Smith, 4724 W. Swift, spoke to the need for a fire station with equal or better than current service levels, to protect the lives and property of residents in the Ashlan Cornelia corridor.

Brunette Harris, HEAT for Southwest Fresno, spoke in opposition to the city using CDBG funds for any city project and to southwest Fresno's lack of Council representation and input into the use of those funds.

Bobbie Parks, HEAT for Southwest Fresno, stated she had the same concerns as Ms. Harris and further elaborated.

Robert McCaffrey of The McCaffrey Group spoke to the issue of citations for model home flags, to a meeting with staff on the issue and their request to be notified prior to the issuance of any citations, and requested due process stating there would be compliance and also requested a stay on citations until Council addresses the issue; and also spoke to a citation he received from code enforcement for weed and rubbish abatement.

Mike Prandini of the Building Industry Association stated he echoed Mr. Caffrey's comments and urged staff to work something out and suspend citations until the process is worked through.

(9:15 A.M. "A") APPEARANCE BY BARRY FALKE TO PROVIDE AN UPDATE ON THE ACTIVITIES AND PROJECTS AT ROTARY PLAYLAND AND STORYLAND

Acting President Sterling introduced the item and spoke briefly to the background of the issue. **(2 - 0)** Mr. Falke, Executive Director of Storyland & Playland, noted a packet was submitted to Council three weeks ago detailing activities going on at the park, spoke to the over \$500,000 in improvements that will be completed by Memorial Day, stated the parks had come a long way in the last two years and sincerely thanked Council for their support and financial contribution, noted the city's \$100,000 in seed money resulted in \$400,000 being raised from the private sector and elaborated on some of the new projects at the facilities, and stated Storyland/Playland would again be requesting funding from the city to be matched for continued projects and he hoped council would be supportive of continuing the match funds. Acting President Sterling and Councilmembers Duncan and Dages all spoke briefly to the issue and in support of all the efforts and improvements and thanked Mr. Falke and board members. There was no further discussion.

(9:15 A.M. "B") BILL NO. B-19 - ORDINANCE NO. 2008-23 - ADDING TO THE FRESNO MUNICIPAL CODE RELATING TO INSTALLATION OF SOLAR ENERGY SYSTEMS IN CONSTRUCTION OF NEW CITY-OWNED BUILDINGS - COUNCILMEMBER DAGES

Councilmember Dages noted the issue was discussed and the bill was introduced last week and stated adoption of this ordinance was a step in the right direction and would show leadership in terms of energy conservation, and made a motion to adopt the ordinance, which motion was seconded by Councilmember Calhoun. Councilmember Duncan spoke in opposition stating the ordinance was unnecessary, staff was doing this already, and this would mandate that staff spend possibly hundreds of thousands of dollars to prepare engineering specs for a solar project, and added this was operating under a very flawed assumption that all solar projects make sense and pencil out economically.

On motion of Councilmember Dages, seconded by Councilmember Calhoun, duly carried, RESOLVED, the above entitled Bill No. B-19 adopted as Ordinance No. 2008-23, by the following vote:

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

(9:30 A.M. "A") RESOLUTION NO. 2008-68 - AUTHORIZING AND APPROVING THE BORROWING OF FUNDS FOR FISCAL YEAR 2008-09, THE ISSUANCE AND SALE OF A 2008 TAX REVENUE ANTICIPATION NOTE THEREFORE, AND PARTICIPATION IN THE CALIFORNIA COMMUNITIES CASH FLOW FINANCING PROGRAM

Principal Accountant Hardcastle gave a brief overview of the issue, all as contained in the staff report as submitted, and recommended approval.

On motion of Councilmember Westerlund, seconded by Councilmember Duncan, duly carried, RESOLVED, the above entitled Resolution No. 2008-68 hereby adopted, by the following vote:

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

(9:30 A.M. "B") RESOLUTION - 464TH AMENDMENT TO THE MFS ADDRESSING FEE CHANGES AND ANNUAL ROUTINE REVISIONS TO VARIOUS CITY DEPARTMENTS

Budget Manager Smith distributed a housekeeping item that corrected a misstatement on page 126 of the MFS relative to the hiring of stagehands from the local union, a copy of which is on file, and gave a PowerPoint presentation on the issue which included the impact of the 2009 fee increases, statistics/comparison of FY 2008 and 2009 fees, General Fund highlights, Enterprise Fund highlights, annual update process, and the conclusion.

Councilmember Duncan stated he was prepared to approve only the Airport's changes as they did the right thing and justified the need and added the remainder were not ready to be voted on, and stated this government tended to look at only at the cost recovery side and the other side was not being looked at and gave examples pertaining to code enforcement, downtown parking fines, and the Woodward park non-resident fee.

City Manager Souza referenced a letter received from the Chamber of Commerce containing questions/statements on the fees and stated although staff made a detailed presentation on the fees to them about a month ago and he talked with them twice since that time this was the first time he had seen these questions/statements and was disappointed to get them on the date the item was to be heard, and stated this Administration had been accused in the past of not bringing fees forward, staff took fee increases very seriously and these fees had been thoroughly "scrubbed", and what was being presented this date was a fair and prudent approach to keep budgets balanced and applying costs to the services the provided.

Ms. Smith and City Attorney Sanchez responded to comments and questions of Councilmember Dages relative to the significant increase in the dog license penalty, reason for the increase from \$10 to \$100, number of dogs currently licensed, concurrence with the need for a penalty but concern with penalizing 80% of the populace, and if the fees could be approved this date *excluding* the increased dog license fee. Councilmember Dages made a motion to approve the fees excluding the increased dog license fee and upon call the motion died for lack of a second.

Councilmember Westerlund stated the Chamber made some strong points and receiving their letter this date left no time to analyze those points and provide answers, and suggested continuing this item until staff responds; presented questions

relative to the proposed park fees, the 4-year plan, and **(3 - 0)** meeting room/facility impact fees (with Administrative Manager Melikian and Mr. Souza responding); and stated although he was comfortable with Airport's fees he wanted this item continued for two weeks to look at the Chamber's letter in more detail and made a motion to that effect, which motion was seconded by Acting President Sterling.

Acting President Sterling thanked Airports for the information and tour provided to her; stated businesses and constituents can not always be penalized because the city is slow in updating fees; and stated the Chamber's statements and questions were due a response for the benefit of the public and she hoped Council would support the motion.

On motion of Councilmember Westerlund, seconded by Acting President Sterling, duly carried, RESOLVED, the above entitled **Item 9:30 a.m. "B"** continued two weeks, by the following vote:

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

(10:00 A.M.) HEARING TO CONSIDER THE FORMATION OF UNDERGROUND UTILITY DISTRICT (UUD) NO. FRE-91, WILLOW AVENUE SOUTH OF NEES AVENUE

1. RESOLUTION NO. 2008-69 - APPROVING THE FORMATION OF UUD NO. FRE-91

President Xiong announced the time had arrived to consider the issue, opened the hearing, and upon question Senior Engineering Technician Polsgrove stated 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 public hearing.

Councilmember Duncan stated this would help the widening of Willow Avenue and was very important and made a motion to approve. Upon question of Councilmember Westerlund Planning Manager Haro confirmed Rural 28 funds would be utilized.

On motion of Councilmember Duncan, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Resolution No. 2008-69 hereby adopted, by the following vote:

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

(10:15 A.M. #1) HEARING ON REZONE APPLICATION NO. R-08-04 AND ENVIRONMENTAL FINDINGS FILED BY THE CITY OF FRESNO, WEST SIDE OF S. CLOVIS BETWEEN E. JENSEN AND E. CHURCH AVENUES - 2460 S. CLOVIS AVENUE

1. CONSIDER AND ADOPT E.A. NO. R-08-04, DETERMINATION OF INITIAL STUDY TO FILE A FINDING OF CONFORMITY TO THE GENERAL PLAN MEIR

2. BILL NO. B-24 - ORDINANCE NO. 2008-24 - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM AE-20 TO R-1/UGM

President Xiong announced the time had arrived to consider the issue, opened the hearing, and upon question Planning Manager Haro stated the staff report 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 Dages, seconded by Councilmember Duncan, duly carried, RESOLVED, the environmental finding for the subject E.A. hereby approved, and the above entitled Bill No. B-24 adopted as Ordinance No. 2008-24, by the following vote:

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

(10:15 A.M. #2) CONSIDERATION OF THE PROPOSED JENSEN-CLOVIS NO. 4 REORGANIZATION FOR APPROVAL TO FILE WITH LAFCO FOR DETACHMENT OF TERRITORY FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT AND KINGS RIVER CONSERVATION DISTRICT AND ANNEXATION OF SAME TO THE CITY OF FRESNO

1. CONSIDER AND ADOPT THE ENVIRONMENTAL FINDING FOR E.A. NO. R-08-04 THAT THE PROJECT PROPOSAL CONFORMS TO THE PROVISIONS OF THE GENERAL PLAN MEIR AND THE ENVIRONMENTAL FINDINGS OF A MITIGATED NEGATIVE DECLARATION FOR E.A. NO. A-05-07/R-05-36, AND E.A. NO. A-04-37/R-04-112/C-04-341

2. **RESOLUTION NO. 2008-70** - APPLYING TO LAFCO IN THE MATTER OF THE JENSEN-CLOVIS NO. 4 REORGANIZATION

Planning Manager Haro advised this was the companion measure to 10:15 #1 and would initiate the annexation for these properties.

Bill Robinson, Sol Development Associates, 906 "N" Street, reviewed the project and the prior rezone and stated they looked forward to bringing these properties into the city.

On motion of Councilmember Dages, seconded by Councilmember Westerlund, duly carried, RESOLVED, the environmental finding for the subject E.A. hereby affirmed, and the above entitled Resolution No. 2008-70 hereby adopted, by the following vote:

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

RECESS - 10:19 A.M. - 2:00 P.M.

(2:00 P.M. #1 and #2) CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL:

("A") ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE TO LITIGATION

#2. CASE NAME: CITY OF FRESNO V. LEOLA M. CLARK, d.b.a. AIR TERMINAL GIFT SHOP

Laid over one week by City Attorney Sanchez (announced prior to recess).

("A") CITY COUNCIL CLOSED SESSION - ANTICIPATED LITIGATION/SIGNIFICANT EXPOSURE TO LITIGATION

#1. CASE NAME: CITY OF FRESNO V. WinAir

("A") JOINT SESSION WITH THE REDEVELOPMENT AGENCY - EXISTING LITIGATION/SIGNIFICANT EXPOSURE TO LITIGATION - CASE NAME: HERITAGE FRESNO, ET AL. V. REDEVELOPMENT AGENCY, ET AL; FRESNO COUNTY SUPERIOR COURT CASE

The City Council met in regular closed session and jointly with the Redevelopment Agency in Room 2125 at the hour of 2:00 p.m. to consider the above matters and recessed thereafter.

RECESS - 2:20 P.M. - 3:00 P.M.

(3:00 P.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY:

The City Council recessed at 3:00 p.m. and convened in joint session with the Redevelopment Agency.

APPROVE AGENCY MINUTES OF MARCH 11 AND 25, 2008

On motion of President Xiong, seconded by Chair Westerlund, duly carried, RESOLVED, the Agency minutes of March 11 and 25, 2008, approved as submitted.

(“A”) APPROVE SELECTION OF A DEVELOPMENT TEAM FOR THE VENTURA AND SEVENTH PROJECT AND DIRECT STAFF TO NEGOTIATE AND ENTER INTO AN EXCLUSIVE NEGOTIATION AGREEMENT WITH THE SELECTED DEVELOPER (*Joint action*)

Director Murphey reviewed the issue and recommended selection of The Urban Pacific Group, all as contained in the staff report as submitted.

On motion of Councilmember Dages, seconded by Councilmember Duncan, duly carried, RESOLVED, The Urban Pacific Group selected as the development team for the Ventura and Seventh project, and staff directed to negotiate and enter into an Exclusive Negotiation Agreement with The Urban Pacific Group, by the following vote:

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

(“B”) ACTIONS PERTAINING TO THE PROPOSITION 1C INFILL INFRASTRUCTURE GRANT PROGRAM:

#1. JOINT RESOLUTION - AUTHORIZING SUBMITTAL OF A GRANT PROGRAM APPLICATION TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE VENTURA AND SEVENTH MIXED-USE PROJECT

#2. AGENCY RESOLUTION - AUTHORIZING SUBMITTAL OF A PROGRAM APPLICATION TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE SOUTH STADIUM REVITALIZATION PROJECT

#3. COUNCIL RESOLUTION - AUTHORIZING SUBMITTAL OF A PROGRAM APPLICATION TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE TRANSIT VILLAGE PROJECT AND AUTHORIZE THE PLANNING & DEVELOPMENT DIRECTOR TO EXECUTE ALL NECESSARY GRANT DOCUMENTS

#4. COUNCIL RESOLUTION - IN SUPPORT OF A GRANT PROGRAM APPLICATION TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR BASTIAN COURT

#5. COUNCIL RESOLUTION - IN SUPPORT OF A GRANT PROGRAM APPLICATION TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR CAMPUS POINTE MARKET ASSOCIATES, LP

#6. COUNCIL RESOLUTION - IN SUPPORT OF A GRANT PROGRAM APPLICATION TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FANCHER CREEK PROPERTIES, LLC

Interim Housing Manager/Assistant P&D Director Bergthold advised all of the above projects qualified as “infill” by the State’s definition and stated although the total amount of grant funds being requested exceeded \$24 million staff felt it was important for the city to make a point and demonstrate the need for help and as much grant funding as possible for these kind of projects.

#1. JOINT RESOLUTION NO. 2008-71/1714 - AUTHORIZING SUBMITTAL OF A GRANT PROGRAM APPLICATION TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE VENTURA AND SEVENTH MIXED-USE PROJECT

Mr. Bergthold, Mayor Chief of Staff White, and HCD Project Manager Sotomayor responded to questions of Councilmember Calhoun relative to the process, how these projects were chosen/how they rose to the top, if any projects were omitted, guidelines, what kind of projects would not be considered infill, and funding.

Councilmember Dages stated he was glad to see these resolutions come forth and commended staff and the Administration on a great job, and made a motion to approve #1, which motion was seconded by President Xiong.

Ms. White and city lobbyist Jennifer Thompson with Townsend Public Affairs responded to questions/comments of Chair Westerlund relative to which projects were submitted by developers and if there was any concern that the amount of grant funding being requested may dilute the top priority projects. Councilmember Dages advised he was going to bring projects 5 and 6 forth on his own but the Mayor’s office suggested all projects be brought forth at the same time.

On motion of Councilmember Dages, seconded by President Xiong, duly carried, RESOLVED, the above entitled Joint Council/Agency Resolution No. 2008-71/1714 hereby adopted, by the following vote:

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

#2. AGENCY RESOLUTION NO. 1715 - AUTHORIZING SUBMITTAL OF A PROGRAM APPLICATION TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE SOUTH STADIUM REVITALIZATION PROJECT

A motion and second was made to approve the resolution, and Director Murphey gave a brief overview as contained in the staff report as submitted.

On motion of Member Duncan, seconded by Member Sterling, duly carried, RESOLVED, the above entitled Agency Resolution No. 1715 hereby adopted, by the following vote:

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

#3. COUNCIL RESOLUTION NO. 2008-72 - AUTHORIZING SUBMITTAL OF A PROGRAM APPLICATION TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE TRANSIT VILLAGE PROJECT AND AUTHORIZE THE PLANNING & DEVELOPMENT DIRECTOR TO EXECUTE ALL NECESSARY GRANT DOCUMENTS

Councilmember Dages gave a brief overview stating this was going to be a fabulous project and thanked city and agency staff, and made a motion to adopt the resolution.

On motion of Councilmember Dages, seconded by President Xiong, duly carried, RESOLVED, the above entitled Resolution No. 2008-72 hereby adopted, by the following vote:

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

#4. COUNCIL RESOLUTION NO. 2008-73 - IN SUPPORT OF A GRANT PROGRAM APPLICATION TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR BASTIAN COURT

Upon question City Manager Souza advised the staff report as submitted was complete, and Acting President Sterling stated this was a good use of funds and a collaborative effort and thanked all involved.

On motion of Acting President Sterling, seconded by Chair Westerlund, duly carried, RESOLVED, the above entitled Resolution No. 2008-73 hereby adopted, by the following vote:

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

#5. COUNCIL RESOLUTION NO 2008-74 - IN SUPPORT OF A GRANT PROGRAM APPLICATION TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR CAMPUS POINTE MARKET ASSOCIATES, LP

Upon question Mr. Souza advised the staff report as submitted was complete.

Acting President Sterling stated her concern here was the Chinatown project was initiated back in 2003 or 2004 by this same developer and nothing has happened, and stated this money could have been used in the Chinatown area and to address homeless needs and she would not support this application.

A motion and second was made to adopt the resolution. Chair Westerlund stated this was a difficult project for him as it involved litigation on developer impact fees and he was ambivalent. Upon question of Councilmember Duncan Ms. Murphey clarified the Chinatown project was not on the list due to the level of its' conceptual plan and the absence of residential in the plan and added the other projects were in a greater state of readiness. Councilmember Duncan stated the issue of Chestnut Avenue was getting to be pathetic and upon questioning the reason for the delay Mr. Souza stated that was a private project, it was his understanding it was pretty close to completion, and he would check with public works on the status. Chair Westerlund agreed the Chestnut issue was very frustrating.

On motion of Councilmember Dages, seconded by Councilmember Calhoun, duly carried, RESOLVED, the above entitled Resolution No. 2008-74 hereby adopted, by the following vote:

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

#6. COUNCIL RESOLUTION NO. 2008-75 - IN SUPPORT OF A GRANT PROGRAM APPLICATION TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FANCHER CREEK PROPERTIES, LLC

Upon question Mr. Souza advised the staff report as submitted was complete. Councilmember Dages made a motion to approve, stated Fancher Creek was taking way too long and could not go fast enough for him, and spoke in support of the project and having apartments on top of retail businesses inside the shopping center.

Upon question of Councilmember Calhoun, Sal Gonzales representing Lance Kashian confirmed a parking structure was involved, the structure was infrastructure in general, and the structure would support the affordable housing components/units at Fancher Creek. Councilmember Calhoun expressed concern with the County moving out of the city to Fancher Creek because there was more parking and added he was not happy about subsidizing a garage for the County, whereupon Councilmember Dages clarified that was a separate issue and a different location.

On motion of Councilmember Dages, seconded by President Xiong, duly carried, RESOLVED, the above entitled Resolution No. 2008-75 hereby adopted, by the following vote:

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

The joint bodies adjourned their meeting, at 3:32 p.m.

ADJOURNMENT

There being no further business to bring before the City Council, the hour of 3:32 p.m. having arrived and hearing no objections, President Xiong declared the meeting adjourned.

Approved on the ___8th___ day of ___April___, 2008.

_____/s/_____
Blong Xiong, Council President

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

151-105

4/1/08