

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:	Andreas Borgeas	Councilmember
	Lee Brand	Councilmember
	Paul Caprioglio	Acting Council President
	Mike Dages	Councilmember
	Henry Perea	Councilmember
	Blong Xiong	Councilmember
	Cynthia Sterling	Council President

Andy Souza, City Manager
 Bruce Rudd, Assistant City Manager
 Jim Sanchez, City Attorney
 Becky Klisch, City Clerk
 Yolanda Salazar, Assistant City Clerk

Pastor Allen Schoonover of Hope Lutheran Church gave the invocation, and President Sterling led the Pledge of Allegiance.

PRESENTATION OF "SAVED BY THE BELT" AWARD TO CARISSA EVANS - COUNCILMEMBER BORGEAS AND POLICE CHIEF DYER

Presentation made.

SURPRISE PRESENTATION TO OUTGOING ACTING PRESIDENT PAUL CAPRIOGLIO

President Sterling, the City Council, and Mayor Swarengin presented Acting President Caprioglio with a Resolution proclaiming March 31st as "Paul Caprioglio Day", with a gift, and with a Plaque, and AP Caprioglio's staff played a video, all in recognition of his eleven months of dedicated service to his district and the community. AP Caprioglio expressed his thanks and appreciation for the presentation and the opportunity to serve and made additional remarks under "Council Member Reports and Comments".

APPROVE MINUTES OF MARCH 24, 2009:

On motion of Acting President Caprioglio, seconded by Councilmember Borgeas, duly carried, RESOLVED, the minutes of March 24, 2009, approved as submitted.

COUNCIL MEMBER REPORTS AND COMMENTS:

Councilmember Xiong (1) reported he attended the API Commission meeting in Los Angeles on March 27th; (2) congratulated Councilmember Borgeas and Downtown & Community Revitalization Director Scharton in their successful bartending challenge which was a fund raiser for Creative Fresno; (3) reported he attended the One Stop groundbreaking event and congratulated Redevelopment Agency staff for their work; and (4) stated he represented Council at the Monsters Hockey Junior League press conference, displayed a Monsters jersey that was given to him, and congratulated the coaches and community members for their efforts to keep hockey in Fresno.

Acting President Caprioglio stated it had been a privilege and honor to serve the city of Fresno and all of its' citizens; thanked his council colleagues and their staff for embracing him when he came on board and gave special recognition to former

Councilmember Duncan and Councilmember Xiong for being his mentors; thanked Mayor Swearengin, City Manager Souza and all his co-workers at every level throughout the city organization; noted he worked under two mayors and nine different council members and spoke briefly to some of the important issues and events he experienced during his tenure; and thanked his family, again thanked everyone stating he made many new friends, and stated this had been a life-changing and one of the greatest experiences for him.

President Sterling (1) requested the city manager look into the Mayflower building and homes next to it where homeless are living and vandalism is occurring on a regular basis in that area; (2) spoke to the JC Penney building and how it was a priority for her, how staff was currently addressing it, and how she would keep the issue on the forefront of the community's consciousness; (3) thanked City Manager Souza for setting the appointment with Len Simon stating it was very information and a lot of information was gained on the stimulus package; (4) thanked RDA and City staff, the county of Fresno, developers, and community efforts for the One Stop Shop groundbreaking this past week; (5) advised she attended the Comprehensive Youth Services Child Advocacy Awards event, the informative Economic Development Commission's Annual Real Estate Forecast meeting, the American Red Cross Real Heroes event, and the funeral for Dolphus Trotter; and (6) spoke to the Cesar Chavez celebration which she helped sponsor at the Saroyan Theater, advised of the various school groups that performed, and stated she would be looking into an ordinance or resolution establishing March 31st of each year as "Cesar Chavez Day" in the city of Fresno starting next year stating the City needed to do what it could to recognize Mr. Chavez and his commitment to the community and the people.

APPROVE AGENDA:

City Clerk Klisch stated there was an item included in Council's packets that should have been removed labeled "1-B" relating to the transfer of title of five vacant parcels on Florence Avenue, and advised the item was pulled off the agenda prior to the agenda being printed but the material was inadvertently left in the packets asked that it be disregarded.

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

Ayes : Borgeas, Brand, Caprioglio, Dages, Perea, Xiong, Sterling
Noes : None
Absent : None

ADOPT CONSENT CALENDAR:

(1-A) AWARD A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$3,936,000 TO DURHAM CONSTRUCTION CO., INC., FOR CONSTRUCTION OF THE NEW ANALYTICAL LABORATORY BUILDING AT THE REGIONAL WASTEWATER RECLAMATION FACILITY (RWRf), AND AUTHORIZE THE PUBLIC WORKS DIRECTOR OR DESIGNEE TO SIGN THE CONTRACT ON BEHALF OF THE CITY

(1-B) APPROVE APPOINTMENT OF LOUISE BAUER DAVOLI TO THE HOUSING AND COMMUNITY DEVELOPMENT COMMISSION (HCDC) - MAYOR SWEARENGIN

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

Ayes : Borgeas, Brand, Caprioglio, Dages, Perea, Xiong, Sterling
Noes : None
Absent : None

(9:00 A.M.) PUBLIC COMMENT PERIOD:

(“A”) SCHEDULED COMMUNICATION: APPEARANCE BY WARREN ZIMMERLY TO DISCUSS VARIOUS POLICE DEPARTMENT ISSUES

Appearance made.

(“B”) UNSCHEDULED COMMUNICATION:

Brunette Harris of HEAT for Southwest Fresno, submitted to Council the 5/16/06, City Council minutes dealing with the Hope VI Project wherein President Sterling recused herself, stated she was opposed any federal stimulus or CDBG funds being allocated to any district, and spoke to her district’s lack of representation and communication.

Reyes Garza spoke to the homeless and mentally ill and the need to address the dilemma **(2 - 0)**.

Paula Savino spoke to animal abuse and cock fighting.

Sherry Smith, 4724 W. Swift, spoke to the city’s lack of respect and her desire for community respect.

Paul Hurlbut, 4701. W. Swift, submitted graphics/maps to Council and spoke to the ‘Tale of Two Cities’ and the challenges of maintaining the current level of fire protection due to growth, which the graphics illustrated.

Hester Hensley, 1122 Martin Avenue, spoke to the need to repair the Monterey Street bridge and to the need for retail stores in west Fresno.

Sally Medina spoke to her work with/for the homeless, the challenges, and the need to provide assistance.

(9:15 A.M. “A”) APPROVAL OF COMPENSATION RECOMMENDATION FOR THE CITY ATTORNEY AND CITY CLERK - PRESIDENT STERLING

President Sterling noted Council received the employee evaluations and they were exemplary, and advised both City Attorney Sanchez and City Clerk Klisch requested they not be considered for any compensation adjustment at this time and commended them for their service and their consideration, especially in these tough economic times. Councilmembers Perea and Dages also expressed their appreciation for their excellent work, for forgoing raises this year, and for their great leadership. There was no further discussion.

(9:15 A.M. “B”) RESOLUTION NO. 2009-74 - SUPPORTING SB 260 - THE PET RESPONSIBILITY ACT - COUNCILMEMBER PEREA

Councilmember Perea reviewed the issue, all as contained in his report to Council as submitted.

Speaking in support of the Resolution were: Nia Sibley, 2550 Mariposa Mall, representing Senator Dean Florez’ office; Beth Caffrey, 350 N. Channing; and Whitney Mayeda, Hope Animal Foundation, 5490 W. Spruce.

On motion of Councilmember Perea, seconded by Councilmember Brand, duly carried, RESOLVED, the above entitled Resolution No. 2009-74 hereby adopted, by the following vote:

Ayes : Borgeas, Brand, Caprioglio, Dages, Perea, Xiong, Sterling
Noes : None
Absent : None

(9:15 A.M. “C”) DIRECT STAFF TO RETURN WITH A PROPOSAL TO ESTABLISH A HIGH EFFICIENCY COMMERCIAL

WATER FIXTURE REBATE PROGRAM - COUNCILMEMBER BORGEAS

Councilmember Borgeas reviewed the issue, all as contained in his report to Council as submitted, and upon his request Assistant Public Utilities Director Martin stated staff was excited about this opportunity, spoke to the city’s existing residential programs, the proposed program and how it could be funded, and stated staff would return with a cost revenue analysis. Councilmember Borgeas requested staff also investigate all the other different components such as faucets and shower heads and look at other cities’ programs and how to implement one here.

Councilmember Perea expressed his support, commented on the success of the residential programs and the major retailers that have bought into this effort and are pushing rebates as an added incentive, and thanked Councilmember Borgeas for bringing this forth. Councilmember Brand questioned if this could be expanded to landscaping/zeroscape, with Mr. Martin stating that was staff’s desire and a recommendation would be brought forth once standards have been changed, and recommended staff work on this proposal first. Upon question of Councilmember Xiong, Mr. Martin and Councilmember Borgeas stated this proposal would be one segment of the larger picture of efficiencies.

On motion of Councilmember Borgeas, seconded by Acting President Caprioglio, duly carried, RESOLVED, staff directed to return with a proposal to establish a High Efficiency Commercial Water Fixture Rebate Program, by the following vote:

Ayes : Borgeas, Brand, Caprioglio, Dages, Perea, Xiong, Sterling
Noes : None
Absent : None

(9:30 A.M. “A”) RESOLUTION NO. 2009-75 - AUTHORIZING AND APPROVING THE BORROWING OF FUNDS FOR FISCAL YEAR 2009-2010, THE ISSUANCE AND SALE OF A 2009 TAX REVENUE ANTICIPATION NOTES (TRANs) THEREFOR, AND PARTICIPATION IN THE CALIFORNIA COMMUNITIES CASH FLOW FINANCING PROGRAM

Interim City Controller Bradley reviewed the issue and recommended approval, all as contained in the staff report as submitted.

On motion of Councilmember Brand, seconded by Councilmember Borgeas, duly carried, RESOLVED, the above entitled Resolution No. 2009-75 hereby adopted, and the City Manager, Interim Controller, and City Clerk authorized to execute the appropriate documents, including the Official Statement, Note Purchase Agreement, and other documents as necessary to issue the Annual Tax Revenue Anticipation Notes (TRANs), by the following vote:

Ayes : Borgeas, Brand, Caprioglio, Dages, Perea, Xiong, Sterling
Noes : None
Absent : None

(9:30 A.M. “B”) BILL NO. B-14 - BILL FOR INTRODUCTION AMENDING THE FRESNO MUNICIPAL CODE RELATING TO LOCAL SMALL BUSINESS PREFERENCE IN CITY PROCUREMENT

(3 - 0) GSD Director Nerland reviewed the issue and proposed amendment, all as contained in the staff report as submitted.

President Sterling read into the record a letter from the Chamber of Commerce in support of the Bill.

Speaking to the issue were: Daniel Duffy, CEO of Valley Network Solutions, a local network integrator/resaler, support; Roger Yoshida, Fresno Envelope, 947 “R” Street, support; Pete Estrada, President & CEO of Specialized Printing & Promotion and outside consultant and small business advocate, who requested Council consider including the Disabled Veterans Business Enterprise (DVBE) component; and Tate Hill, President of the San Joaquin Valley Black Chamber of Commerce, support and requested Council consider incorporating minority and women-led/owned businesses in the future.

Upon a question and request of President Sterling, Purchasing Manager McDonald stated staff chose to introduce the local small business preference as the first step in their attempt to level the playing field and was open to considering the DVBE and would

Speak with Mr. Estrada on the issue.

Russell Appling spoke to famine, Mendota residents, and building drinking water systems.

Mr. Nerland and Mr. McDonald responded to questions and comments of Councilmember Perea relative to the amendment adding the definition of "small business" and if some small businesses had somehow been excluded in the past, minority-owned business opportunities and if it was true that cities can no longer have a minority-owned business preference, need to re-look at a minority preference, if this program will apply to federal funds only, if it was staff's intent to include the DVBE program, if it would be better to direct staff to bring back a comprehensive ordinance, number of contracts expected to be awarded to local small businesses with this amendment, and concern with the DVBE and minority preferences falling to the wayside and when staff will return with the additional amendment. City Manager Souza stated staff would bring forth the amendment in 60 days.

Councilmember Dages expressed his support stating this was a great economic stimulus and he was confident staff would bring back the veteran and minority components, and made a motion to introduce the ordinance as presented, which motion was seconded by Councilmember Xiong.

Mr. Souza clarified the priority and intent of the administration and staff was to insure the city was competitive at the local level as there have been stories of small and medium-sized businesses having a hard time competing on what would be a level playing field, stated staff has also been doing a lot of things inherently for a long time such as insurance and indemnification issues, and stated this was one piece of the overall effort and added continued outreach and working with small local businesses would be a focus of the downtown & community revitalization department as those businesses were the backbone of the economy.

Councilmember Brand stated he has been a small businessman for 30 years with a preference for local vendors and was surprised it had taken this long for the city to approve one, and spoke to the definition of local business and stated he would like to see someone with their headquarters in Fresno getting a preference over someone with a branch office here, with Mr. Nerland responding.

President Sterling stated she agreed with Councilmember Perea noting minority businesses were the foundation of the city of Fresno and minorities made up over 60% of the city's population, stated those facts needed to always be considered and Council should not have to remind staff, and stated she looked forward to seeing the report and ordinance that will be coming back in 60 days.

On motion of Councilmember Dages, seconded by Councilmember Xiong, duly carried, RESOLVED, the above entitled Bill No. B-14 introduced before the City Council and laid over, by the following vote:

Ayes	:	Borgeas, Brand, Caprioglio, Dages, Perea, Xiong, Sterling
Noes	:	None
Absent	:	None

(10:30 A.M.) CONTINUED SPECIAL JOINT MEETING WITH THE JOINT POWERS FINANCING AUTHORITY (JPFA)

The City Council recessed at 10:36 a.m. and convened in joint session with the JPFA.

(‘A’) ELECTION OF JPFA CHAIRPERSON AND VICE CHAIRPERSON

(‘B’) JPFA RESOLUTION - AUTHORIZING (1) THE ISSUANCE AND SALE OF LEASE REVENUE BONDS (POLICE AND FIRE MASTER LEASE PROJECTS), SERIES 2009B (TAX EXEMPT), IN A PRINCIPAL AMOUNT NTE AN AGGREGATE \$22 MILLION; (2) THE EXECUTION AND DELIVERY OF A FIRST SUPPLEMENTAL TRUST AGREEMENT, A FIRST AMENDMENT TO MASTER FACILITIES LEASE, A FIRST AMENDMENT TO MASTER FACILITIES SUBLEASE, A BOND PURCHASE CONTRACT, AND AN OFFICIAL STATEMENT; AND (3) THE TAKING OF ALL NECESSARY ACTIONS RELATING TO THE ISSUANCE OF THE BONDS

(‘C’) COUNCIL RESOLUTION - APPROVING THE ISSUANCE BY THE JPFA OF LEASE REVENUE BONDS IN A PRINCIPAL AMOUNT NTE AN AGGREGATE \$22 MILLION; AUTHORIZING THE EXECUTION AND DELIVERY OF A

FIRST AMENDMENT TO MASTER FACILITIES LEASE, A FIRST AMENDMENT TO MASTER FACILITIES SUBLEASE, A BOND PURCHASE CONTRACT, AN OFFICIAL STATEMENT, AND A CONTINUING DISCLOSURE CERTIFICATE; AND AUTHORIZING EXECUTION OF DOCUMENTS AND THE TAKING OF ALL NECESSARY ACTIONS RELATING TO THE FINANCING

Relative to Item 'A', City Manager Souza stated the JPFA members had been appointed and were the Mayor, President Sterling as the Council President, and Councilmember Xiong as Chair of the Redevelopment Agency. President Sterling confirmed Council did receive a memo from Mr. Souza identifying the three members.

Interim Finance Director/City Controller Bradley reviewed both Items 'B' and 'C', all as contained in the staff report as submitted, and recommended approval.

Barbara Hunt spoke to the issue and in support.

(A) ELECTION OF JPFA CHAIRPERSON AND VICE CHAIRPERSON

Upon question Mr. Souza clarified he already appointed the members of the JPFA (Swearengin, Sterling, Xiong) by his memo to Council as the bylaws placed that responsibility with him, and at issue here was election of a Chair and Vice Chair.

On motion of JPFA Member Xiong, seconded by JPFA Member Swearengin, duly carried, RESOLVED, President Sterling elected Chair and Mayor Swearengin elected Vice Chair, by the following vote:

Ayes : Swearengin, Sterling, Xiong
Noes : None
Absent : None

(B) JPFA RESOLUTION NO. 30 - AUTHORIZING (1) THE ISSUANCE AND SALE OF LEASE REVENUE BONDS (POLICE AND FIRE MASTER LEASE PROJECTS), SERIES 2009B (TAX EXEMPT), IN A PRINCIPAL AMOUNT NTE AN AGGREGATE \$22 MILLION; (2) THE EXECUTION AND DELIVERY OF A FIRST SUPPLEMENTAL TRUST AGREEMENT, A FIRST AMENDMENT TO MASTER FACILITIES LEASE, A FIRST AMENDMENT TO MASTER FACILITIES SUBLEASE, A BOND PURCHASE CONTRACT, AND AN OFFICIAL STATEMENT; AND (3) THE TAKING OF ALL NECESSARY ACTIONS RELATING TO THE ISSUANCE OF THE BONDS

On motion of Member Xiong, seconded by Vice Chair Swearengin, duly carried, RESOLVED, the above entitled JPFA Resolution No. 30 hereby adopted, by the following vote:

Ayes : Swearengin, Xiong, Sterling
Noes : None
Absent : None

(C) COUNCIL RESOLUTION NO. 2009-76 - (1) APPROVING THE ISSUANCE BY THE JPFA OF LEASE REVENUE BONDS IN A PRINCIPAL AMOUNT NTE AN AGGREGATE \$22 MILLION; (2) AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO MASTER FACILITIES LEASE, A FIRST AMENDMENT TO MASTER FACILITIES SUBLEASE, A BOND PURCHASE CONTRACT, AN OFFICIAL STATEMENT, AND A CONTINUING DISCLOSURE CERTIFICATE; AND (3) AUTHORIZING EXECUTION OF DOCUMENTS AND THE TAKING OF ALL NECESSARY ACTIONS RELATING TO THE FINANCING

153-96

3/31/09

Ms. Bradley responded to questions of Councilmember Brand relative to the initial bond from last year, if bids were coming in lower, if there could be some potential savings, when it will be known if there are any savings, and if there were savings in not having leasing fees. Councilmember Xiong made a motion to approve staff's recommendation, which was seconded by Acting President Caprioglio.

Councilmember Dages presented questions, comments and concerns relative to the city's current bonding capacity, the \$960-\$970 currently bonded and how much more the city can bond until it can not bond any more, and his disappointment with how the police department handled the central and southeast policing station properties (4 - 0) and his hope that the city will not conduct business that way in the future. City Manager Souza stated he respected Councilmember Dages' disappointment but stated there were a significant number of issues that were outside the purview of staff and the police department, agreed the length of time was difficult for everyone but stated if the department had their way they would already be staffing their stations, and stated he looked forward to

talking with Councilmember Dages offline on the issues that took place and added staff looked forward to moving forward on these projects.

On motion of Councilmember Xiong, seconded by Acting President Caprioglio, duly carried, RESOLVED, the above entitled Resolution No. 2009-76 hereby adopted, by the following vote:

Ayes : Borgeas, Brand, Caprioglio, Dages, Perea, Xiong, Sterling
Noes : None
Absent : None

The joint bodies adjourned their meeting at 10:54 a.m. and the City Council reconvened in regular session.

(9:30 A.M. "C") CONSIDERATION AND APPROVAL OF MEASURE "C" COOPERATIVE AGREEMENTS FOR:

- 1. THE WILLOW/SHEPHERD INTERSECTION IMPROVEMENT PROJECT,**
- 2. THE MONTEREY STREET BRIDGE PROJECT,**
- 3. THE PEACH AVENUE WIDENING PROJECT FROM BUTLER TO SR-180,**
- 4. THE CALIFORNIA AVENUE WIDENING PROJECT FROM WEST TO FRUIT AVENUES, AND**
- 5. THE VETERANS BOULEVARD/SR-99 INTERCHANGE PROJECT**

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

Barbara Hunt, 2475 S. Walnut, spoke in support.

Upon question of Councilmember Xiong, ACM Rudd stated these projects were consistent with Tier 1 and discussions with the Fresno County Transportation Authority (FCTA), whereupon Councilmember Xiong made a motion to approve staff's recommendation, which motion was seconded by Councilmember Dages.

Mr. Rudd and Mr. Mozier responded to questions of Councilmember Perea relative to Tier 1 projects, priorities, which projects were the least complicated and would start first, project time lines, and if the issue of "pay-as-you-go" had ever been settled. President Sterling thanked the city manager and staff and spoke briefly to the importance of the Monterey Street Bridge and California Avenue Widening projects.

On motion of Councilmember Xiong, seconded by Councilmember Dages, duly carried, RESOLVED, the subject Measure "C" Draft Cooperative agreements for the listed projects hereby approved, and the Public Works Director authorized to execute the agreements on behalf of the City, subject to City Attorney approval as to form, by the following vote:

Ayes : Borgeas, Brand, Caprioglio, Dages, Perea, Xiong, Sterling
Noes : None
Absent : None

(9:30 A.M. "D") ACTIONS PERTAINING TO HOMELESS ENCAMPMENTS SOUTH OF VENTURA AVENUE, OUTREACH SERVICES/ASSESSMENTS, AND TENANT RELOCATION ASSISTANCE

- 1. RESOLUTION NO. 2009-77 - APPROVING THE REALLOCATION OF \$700,000 IN THE PLANNING & DEVELOPMENT DEPARTMENT FOR ACTIVITIES AND PROJECTS ADDRESSING HOMELESSNESS IN THE CITY**
- 2. DISCUSSION REGARDING OUTREACH SERVICES TO PROVIDE ASSESSMENTS TO THE ENCAMPMENTS SOUTH OF VENTURA AVENUE**
- 3. RESOLUTION NO. 2009-78 - PROVIDING POLICIES AND PROCEDURES FOR TENANT RELOCATION ASSISTANCE**

Homeless Prevention & Policy Manager Barfield reviewed the issue, all as contained in the staff report as submitted, advised after conducting the assessment he would return on April 23rd with a formal housing plan for the area south of Ventura, and spoke briefly to the partnerships that have developed from this and specifically with Judy Hornback with the county of Fresno.

Speaking to the issue were: Judy Hornback, Fresno County Director of Employment & Temporary Assistance, who stated Fresno County supported addressing the issue of homelessness and they were available to work with the city through this process; Bill Simon, 4902 N. Ninth Street, support for the issue; Sally Medina, 6844 W. Barstow, who displayed a boxed tent which she purchases when she is financially able to provide to the homeless and spoke to her work and need for city assistance; Hester Hensley, 1122 Martin Avenue, who spoke to her concern with the encampments and to need to find solutions; Quintana Vandecar, Storyland Motel, 1557 N. Golden State, who requested relocation assistance due to motel code violations; Mary Howard, Storyland Motel, request for relocation assistance; Mary Rodriguez, Storyland Motel, request for relocation assistance; Chris Schneider, support for the issue; Barbara Hunt, 2475 S. Walnut, support; Darcy Glover, 1557 N. Golden State, Storyland Motel, request for relocation assistance; John D. McCubbin, 617 E. Cambridge, volunteer, who spoke to the need for the city to increase the range and number of available housing units; and Tom Richards, Chair of the Planning Council for the '10 Year Plan to End Chronic Homelessness', support.

Upon question of President Sterling, City Manager Souza stated Resolution #3 would address the Storyland resident's situation and if passed the city attorney could explain how far the city should/should not commit to that process.

Extensive Council discussion ensued with Mr. Barfield, City Attorney Sanchez and Mr. Souza responding to questions and/or comments of Councilmembers Borgeas, Perea, Brand and Xiong relative to whether this funding was previously appropriated and being held in contingency, if the funds were solely for homeless prevention services, if there was an estimation of how much more money above the \$700,000 would be needed to move this project forward in an effective way, what other funding sources were available, **(5 - 0)** meaning of "housing first" and if that was the guiding principal of the homeless plan, if the number of homeless in the different categories could be quantified, homelessness being a city-wide issue and not just a downtown issue, process for the Storyland residents to receive assistance, if the \$700,000 will provide some immediate relief, time line for housing vouchers to be provided, if other hotels/motels will be able to qualify for the voucher program, details and range of options of the voucher program, number of people that can be helped and for how long, if Mr. Barfield was familiar with the Van Ness homeless housing project making its way through City Hall and if staff was supportive of the project, homelessness being a significant local and national problem, need for accurate data to develop a plan, if there was a population estimate of tent city, if the triage method will determine which individuals have the greatest needs, if staff has seen an exasperation of the problem since the economic downtown, ability of people to sustain housing/this being kind of a band-aid approach/need to look at long-term and permanent solutions, the Neighborhood Stabilization Program providing assistance, this being a move in the right direction to solve issues that have largely been ignored for a number of years, the encampments and Storyland residents being two different issues with one source of funds, if assistance can be provided to Storyland residents, who the city's partners were on this issue, if Storyland residents will be the pioneers/first group in the tenant relocation program, resident assessment process, and what status was of 10 X 10 discussions on affordable and transitional housing. Councilmember Xiong commended Ms. Glover for her involvement and input stating it was a great help to the city to build effective tools and provide assistance, and President Sterling commended everyone involved and stated the homeless prevention department was probably the best department the city has established and she looked forward to providing housing and shelter for the people of the city.

On motion of Councilmember Brand, seconded by Councilmember Xiong, duly carried, RESOLVED, the above entitled Resolution Nos. 2009-77 and 2009-78 hereby adopted, by the following vote:

Ayes : Borgeas, Brand, Caprioglio, Dages, Perea, Xiong, Sterling
Noes : None
Absent : None

153-98

3/31/09

LUNCH RECESS - 12:10 P.M. - 2:02 P.M.

(10:00 A.M.) HEARING ON REZONE APPLICATION NO. R-08-05 AND ENVIRONMENTAL FINDINGS, FILED BY THE CITY OF FRESNO, PROPERTY LOCATED ON THE NORTHEAST AND SOUTHEAST CORNERS OF S. FOWLER AND E. CHURCH AVENUES

1. CONSIDER AND ADOPT E.A. NO. R-08-05, A DETERMINATION OF THE INITIAL STUDY TO FILE A FINDING OF CONFORMITY TO THE GENERAL PLAN MEIR

2. BILL NO. B-15 - ORDINANCE NO. 2009-14 - AMENDING THE OFFICIAL ZONE MAP TO REZONE FROM AL-20 TO R-1/UGM/ANX

President Sterling announced the time had arrived to consider the issue and opened the hearing. Planner Braun reviewed the issue and recommended approval, all as contained in the staff report as submitted.

Speaking in support of the issue were: Vance Herring, on behalf of Woodside Homes, who expanded further on their project;

and Barbara Hunt.

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

On motion of Councilmember Dages, seconded by Councilmember Perea, duly carried, RESOLVED, the environmental finding for the subject E.A. hereby adopted, and the above entitled Bill No. B-15 adopted as Ordinance No. 2009-14, by the following vote:

Ayes : Borgeas, Brand, Caprioglio, Dages, Perea, Xiong, Sterling
Noes : None
Absent : None

(10:45 A.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY:

The City Council recessed at 2:06 p.m. and convened in joint session with the Redevelopment Agency.

APPROVE AGENCY MINUTES OF MARCH 24, 2009

On motion of President Sterling, seconded by Acting President Caprioglio, duly carried, RESOLVED, the Agency minutes of March 24, 2009, approved as submitted.

(“A”) ADOPT THE SECOND AMENDMENT TO THE EXCLUSIVE NEGOTIATION AGREEMENT (ENA) BETWEEN THE REDEVELOPMENT AGENCY AND FRESNO HISTORIC CHINATOWN, LLC, FOR THE HISTORIC CHINATOWN PROJECT

Executive Director Murphey gave a brief overview of the issue, all as contained in the staff report as submitted.

Speaking in support of the issue were: Kathy Omachi, 759 ‘F’ Street, Reedley; Barbara Hunt; Morgan Doizaki with Chinatown Revitalization and Central Fish Co.; and Tom Richards with Fresno Historic Chinatown, who also thanked RDA and City staff for their work and support.

(6 - 0) President Sterling thanked staff and Mr. Richards and made a motion to approve.

On motion of President Sterling, seconded by Councilmember Dages, duly carried, RESOLVED, the second amendment to the subject ENA for the Historic Chinatown Project hereby approved, by the following vote:

Ayes : Borgeas, Brand, Caprioglio, Dages, Perea, Sterling, Xiong
Noes : None
Absent : None

153-99

3/31/09

(“B”) ACTIONS PERTAINING TO THE MERGER TWO REDEVELOPMENT PROJECT:

- 1. BILL NO. B-16 - BILL FOR INTRODUCTION ADOPTING AMENDMENTS TO TWO REDEVELOPMENT PROJECTS, INCLUDING THE SOUTHWEST FRESNO GENERAL NEIGHBORHOOD RENEWAL AREA PROJECT AND THE REDEVELOPMENT PLAN FOR THE FRUIT/CHURCH PROJECT, DELETING THE DEBT INCURRENCE TIME LIMIT**
- 2. AGENCY RESOLUTION NO. 1740 - AUTHORIZING THE INITIATION OF PROCEDURES FOR AMENDMENT TO TWO EXISTING REDEVELOPMENT PLANS IN THE MERGER NUMBER TWO PROJECT**

Executive Director Murphey reviewed the issue, all as contained in the staff report as submitted.

Barbara Hunt spoke to the issue and to area boundaries.

On motion of President/Member Sterling, seconded by Acting President/Member Caprioglio, duly carried, RESOLVED, the above entitled Bill No. B-16 introduced before the City Council and laid over one week, and the above entitled Agency Resolution No. 1740 hereby adopted, by the following vote:

Ayes : Borgeas, Brand, Caprioglio, Dages, Perea, Sterling, Xiong

Noes : None
Absent : None

(“C”) CONDITIONALLY AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO A PURCHASE AND SALE AGREEMENT FOR PROPERTY LOCATED AT 4035 E. VENTURA STREET OWNED BY ARA ADANALIAN (Agency action)

Executive Director Murphey reviewed the issue, all as contained in the staff report as submitted.

Barbara Hunt spoke in support.

A motion and second was made to approve staff’s recommendation. Upon question of Councilmember Dages Ms. Murphey stated she was aware Mr. Adanalian was interested in selling the property next door.

On motion of President Sterling, seconded by Acting President Caprioglio, duly carried, RESOLVED, conditional authorization hereby granted to the Executive Director to enter into the subject Purchase and Sale Agreement with property owner Ara Adanalian, by the following vote:

Ayes : Borgeas, Brand, Caprioglio, Dages, Perea, Sterling, Xiong
Noes : None
Absent : None

The joint bodies adjourned their meeting at 2:24 p.m. and the City Council reconvened in regular session.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL:

(‘A’) EXISTING LITIGATION - CASE NAME: ANDREW FRANCIS HEBERT V. CITY OF FRESNO

(‘B’) ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION: RIVER PARK PROPERTIES III, LP V. CITY OF FRESNO

The City Council met in closed session in Room 2125 at the hour of 2:25 p.m. to consider the above matters and adjourned thereafter.

153-100

3/31/09

ADJOURNMENT

There being no further business to bring before the City Council, the hour of 2:33 p.m. having arrived and hearing no objection, President Sterling declared the meeting adjourned.

Approved on the 7 th day of April , 2009.

_____/s/_____
Cynthia Sterling, Council President

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

153-101

3/31/09