



**Meetings of Sacramento
City Council
Redevelopment Agency
Financing Authority
Housing Authority**

CITY COUNCIL

Heather Fargo, Mayor
Raymond L. Tretheway III, District 1
Sandy Sheedy, District 2
Steve Cohn, District 3
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Lauren Hammond, District 5
Kevin McCarty, District 6
Robbie Waters, District 7
Bonnie Pannell, District 8

Summary

Tuesday, March 13, 2007

City Hall-915 I Street, 1st Floor Council Chamber

Published by the Office of the City Clerk (916) 808-7200

CHARTER OFFICERS

Eileen Teichert, City Attorney
Shirley Concolino, City Clerk
Ray Kerridge, City Manager
Tom Friery, City Treasurer

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken (3 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the end of the meeting as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160).

Speaker slips are located in racks inside the chamber and should be completed and submitted to the City Clerk.

Government Code 54950 (The Brown Act) requires that a brief description of each item transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order of Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The Agenda provides a general description and staff recommendations; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City's official website and include all attachments and exhibits.

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AGENDA

Tuesday, March 13, 2007

City Hall – 915 I Street- First Floor Council Chamber

All items listed are heard and acted upon by the Sacramento City Council unless otherwise noted.

Open Session – 12:00 noon

Roll Call – 12:06 p.m. Mayor Fargo absent

Closed Session (Read Closed Session Items – ask for public comment - 3 minute maximum)

Recess to Closed Session

City Council

- a) Pursuant to Government Code section 54956.9(a), for a matter pertaining to pending litigation: Blea, et al. v. City of Sacramento, et al., Sacramento Superior Court Case No. 05AS02319.
- b) Pursuant to Government Code section 54956.9(a), for a matter pertaining to pending litigation: Giese v. City of Sacramento, Worker's Compensation Appeals Board Case No. SAC 0350501.
- c) Pursuant to Government Code section 54956.8 for a matter pertaining to real property negotiations. Authorization to negotiate with David Soldani on behalf of the Rio Linda School District and Gregory Thatch on behalf of DR Horton, Inc. for the acquisition of an interest in a portion of the real property identified as Sacramento County Assessor's Parcel No. 201-0300-102. The purpose is to confer with the City's chief negotiators, Marianne Wetzel and JP Tindell, regarding the price, terms and conditions of the acquisition.
- d) Pursuant to Government Code section 54956.9(a), for a matter pertaining to pending litigation: Hernandez v. City of Sacramento, et al., California Court of Appeal/ Third Appellate District Case No. C047180, Sacramento County Superior Court Case No. 02AS07396.

Reconvene to Open Session – 2:00 p.m.

Roll Call – 2:07 p.m. Mayor Fargo absent

Closed Session Report – regarding the Hernandez v. City of Sacramento, et al., California Court of Appeal/ Third Appellate District Case No. C047180, Sacramento County Superior Court Case No. 02AS07396 - Council voted 8-0 to authorize City Attorney to file an appeal with the Supreme Court.

The City Attorney shall determine if any actions taken by the City Council or legislative bodies in Closed Session shall require a reporting on those actions as required by Law (Government Code §54957.1 (a) (3) (B)).

Special Presentations/General Communication

Action: City of Sacramento 157th Birthday Celebration announced by Curtis Mackey inviting all to attend the celebration to be held March 16, 2007, at noon, at Cesar Chavez Plaza.

In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

Consent Calendar (Items 1 - 18)

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request an item be removed for separate consideration.

Action: Moved, seconded, carried (Waters/Pannell; Absent - Fargo) to adopt the Consent Calendar in one motion except as indicated.

1. **(City Council, Redevelopment Agency, Housing Authority, Financing Authority)
Approval of Council Minutes**

Location: (Citywide)

Recommendation: Approve the afternoon and evening City Council, Redevelopment Agency, Housing Authority and Financing Authority Minutes for February 27, 2007.

Contact: Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk.

Action: Approved recommendation.

2. **Open an Application Period for Various Boards and Commissions**

Location: (Citywide)

Recommendation: Open an application period for: 1) Sacramento Army Depot Redevelopment Advisory Committee opening on 03/14/07 with applications due 04/13/07; and 2) Sacramento City/County Bicycle Advisory Committee opening 03/14/07 with applications due 04/13/07.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093; Ruci Katia, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.

Action: Approved recommendation.

3. Confirmation of Board and Commission Appointments

Location: (Citywide)

Recommendation: Confirmation of board/commission appointment for the Community Racial Profiling Commission – Jerry Camous (Category C).

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093; Ruci Katia, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.

Action: Approved recommendation.

4. Fisherman’s Lake Parkway and Open Space

Location: South of Del Paso and East of El Centro (District 1)

Recommendation: Adopt a **Resolution** 1) approving the name “Fisherman’s Lake Parkway and Open Space”; 2) re-approving the Negative Declaration for the Natomas Central Project and re-adopting the Mitigation Monitoring Plan as it applies to the Fisherman’s Lake Parkway and Open Space Master Plan; and 3) approving the Fisherman’s Lake Parkway and Open Space Master Plan.

Contact: J.P. Tindell, Interim Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.

Action: Adopted Resolution No. 2007-137

5. Reimbursement Credit Agreement: Fisherman’s Lake Parkway and Open Space Project (CIP LW67)

Location: South of Del Paso and east of El Centro (District 1)

Recommendation: Adopt a **Resolution** 1) approving the Reimbursement/Credit Agreement for the project; 2) establishing a new Capital Improvement Program project for associated City costs for the development of the project; 3) accepting an Unconditional, Standby Letter of Credit in the amount of \$123,685 for Fisherman’s Lake Parkway and \$996,377 for the project pursuant to Reimbursement/Credit Agreement from K. Hovnanian Forecast Homes Northern, Inc and Natomas Investors, LLC.; 4) appropriating \$287,100 from the Public Facilities Fee Fund (PFF), Fund 780, to the project; and 5) appropriating \$575,098 from the Park Development Impact Fee Fund (PIF), Fund 791, Planning Area 10, to the project.

Contact: J.P. Tindell, Interim Planning and Development Manager, 808-1955, Parks and Recreation Department.

Action: Adopted Resolution No. 2007-138 AG2007-0225

6. Agreement: Human Resources Staff On-Line Access

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute a Memorandum of Understanding (MOU) with the California Department of Motor Vehicles (DMV) granting Human Resources staff on-line access to verify drivers’ license status of City employment applicants and City employees.

Contact: Barbara Brenner, Loss Control Manager, (916) 808-7785, Human Resources Department.

Action: Adopted Resolution No. 2007-139 AG2007-0226

7. Agreement: Drinking Water Treatment Plant Assessment Study (PN: ZL61)

Location: E.A. Fairbairn Water Treatment Plant, 7501 College Town Drive, Sacramento River Water Treatment Plant, 1 Water Street (Districts 1 and 3)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute an agreement with Carollo Engineers for the assessment study in an amount not to exceed \$500,000 to address rehabilitation and replacement needs; and 2) transferring \$365,000 from the Water Fund Base Reserve (PN: ZE46, fund 413).

Contact: Dave Brent, Engineering Services Manager, (916) 808-1420, Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.

Action: Adopted Resolution No. 2007-140 AG2007-0227

8. Agreement: Labor Compliance Field Investigation & Administrative Services (JN: 3431)

Location: (Citywide)

Recommendation: Adopt a **Resolution** approving the professional services agreement with DCM Group, Inc for \$119,999 for labor compliance field Investigation & administrative services relating to City construction projects.

Contact: David Flores, Jr., Administrative Analyst, (916) 808-8277; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation.

Action: Adopted Resolution No. 2007-141 AG2007-0228

9. Agreements: On Call Materials Testing

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the execution of Master Consultant Services Agreements with: 1) Wallace Kuhl & Associates; 2) Inspection Consultants Inc.; 3) Youngdahl & Associates; and 4) Kleinfelder (JN: 3432), in the amount of \$250,000 each.

Contact: Jon Blank Supervising Engineer, (916) 808-7914; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation.

Action: Adopted Resolution No. 2007-142 1) AG2007-0229; 2) AG2007-0230;
3) AG2007-0231; 4) AG2007-0232

10. Agreement: Wholesale Water

Location: (Districts 5 and 6)

Recommendation: 1) Review and consider the Mitigated Negative Declaration prepared and adopted by the California Department of Health Services (DHS); and 2) adopt a **Resolution** authorizing the City Manager to execute a wholesale water agreement with the Fruitridge Vista Water Company.

Contact: Gary A. Reents, Director of Utilities (916) 808-1433, David L. Brent, Engineering Manager (916) 808-1420, Dan Sherry, Supervising Engineer (916) 808-1419, Utilities Department.

Action: Removed from consent by Vice Mayor McCarty. Moved, seconded, carried (Hammond/Sheedy; Absent – Fargo) to adopt Resolution No. 2007-143.
AG2007-0233

11. Agreements: Regional Learning Center

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute an agreement and any extensions, amendments, or other related documents with the Rio Linda Union School District for the City to provide a Regional Learning Center for the After School Education and Safety program in an amount not to exceed \$35,000 during FY2006-07; 2) authorizing the City Manager to execute an agreement and any extensions, amendments, or other related documents with the Rio Linda Union School District for the City to provide a Regional Learning Center for the 21st Century Community Learning Center program in an amount not to exceed \$15,000 during FY2006-07; and 3) amending the operating budget of the Parks and Recreation Department by \$50,000 to operate both programs.

Contact: David Mitchell, Division Manager, (916) 808-6076, Parks and Recreation Department.

Action: Adopted Resolution No. 2007-144 1) AG2007-0234; 2) AG2007-0235

12. Contract: D/E & E/F Alley Sewer Replacement, 25th to 27th Street Projects (PN: XN24 and XN25)

Location: (District 3)

Recommendation: Adopt a **Resolution** 1) approving the contract plans and specifications for the projects; and 2) award the contract to Florez Paving for an amount not to exceed \$496,805.

Contact: David L. Brent, Engineering Manager, (916) 808-1420; Rick Batha, Supervising Engineer, (916) 808-1448, Utilities Department.

Action: Adopted Resolution No. 2007-145 CO 2007-038

13. Contract: Root Control Applications 2007 Project (PN: XI76)

Location: (Districts 5 and 8)

Recommendation: Adopt a **Resolution** 1) approving the contract specifications for the project; 2) awarding the contract to Duke's Root Control, Inc. for an amount not to exceed \$161,700; 3) transferring \$45,000 from the Sewer Fund Base Reserve (PN: XE01, fund 414); and 4) transferring \$72,000 from the Root Control Application 2006 Project (PN: XI21, fund 414) to the project.

Contact: David L. Brent, Engineering Manager, (916) 808-1420; Rick Batha, Supervising Engineer, (916) 808-1448, Utilities Department.

Action: Adopted Resolution No. 2007-146 CO 2007-039

14. Contract: Fire Fighter Turnout Boots & Gear Bags

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) awarding the contract to Fisher Safety Scientific in a total amount not to exceed \$400,000 for the purchase of Fire Fighter turnout boots and gear bags.

Contact: Forrest Adams, Interim Fire Chief, Fire Department, (916) 808-1603; Christopher Stewart, Procurement Services Manager, (916) 808-6240, Fire Department.

Action: Adopted Resolution No. 2007-147 CO 2007-040

15. Change Order: L Street Barge Replacement Project (KE21)

Location: Old Sacramento Waterfront at "L" Street (District 1)

Recommendation: Adopt a **Resolution:** 1) transferring \$88,962 from the City's Deferred Maintenance Program (CE21) to the project; 2) authorizing the City Manager to execute Change Order No. 2 with SGC Construction in the amount \$18,940 for the project; and 3) resetting the City Manager's signature authority for this project.

Contact: Mike George, Associate Architect, (916) 808-8425; Brian Reilly, Interim Supervising Engineer, (916) 808-8427, General Services Department.

Action: Adopted Resolution No. 2007-148

16. Workforce Housing Reward Grant Application

Location: Northwest side of the Broadway and Martin Luther King Jr. Boulevard intersection and the northwest corner of Casa Linda Drive and 24th Street (Districts 5 and 8)

Recommendation: Adopt a **Resolution** authorizing the application for additional state grant funding for intersection improvements at Broadway and Martin Luther King Jr. Boulevard and the development of Steve Jones Park in the Meadowview neighborhood.

Contact: Susanne Cook, Associate Planner, (916) 808-5375; Desmond Parrington, AICP, Infill Coordinator, (916) 808-5044; Ryan Moore, Associate Civil Engineer, (916) 808-8279, JP Tindell, Parks Planning and Development Manager, (916) 808-1955, Planning Department.

Action: Adopted Resolution No. 2007-149

17. Annexation No. 16 to the Neighborhood Park Maintenance Community Facilities District No. 2002-02

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) of intention to annex territory for Annexation No. 16 to the Neighborhood Park Maintenance CFD No. 2002-02; and 2) setting a time and place for a Public Hearing on April 17, 2007.

Contact: Ron Wicky, Program Specialist, (916) 808-5628; Mark Griffin, Fiscal Manager, (916) 808-8788, Planning Department.

Action: Adopted Resolution No. 2007-150

18. (Redevelopment Agency) Railyards Redevelopment Project

Location: (District 1)

Recommendation: Adopt a **Redevelopment Agency Resolution** establishing 1) an internal loan in the amount of \$250,000 to the Richards Blvd. Redevelopment Project Area with the proceeds from Lot A and 2) a budget in the amount of \$250,000 for

redevelopment consulting services to recommend and facilitate actions necessary to support the Railyards project.

Contact: Rachel Hazlewood, Sr. Development Project Manager, (916) 808-8645, David Harzoff, Special Projects Manager, (916) 808-5054, Economic Development Department.

Action: Adopted Redevelopment Agency Resolution No. 2007-017

Staff Reports (Items 19 -21))

Staff reports include an oral presentation including those recommending receive and file.

19. Studios for the Performing Arts Project Update

Location: 725 14th Street (District 1)

Recommendation: Adopt a **Resolution** approving staff's recommendation to move forward with the project providing the arts organizations adhere to certain performance benchmarks.

Contact: Sheryl A. Taylor, Senior Economic Development Project Manager, Economic Development Department, (916) 808-7204; Barbara Bonebrake, Director, Convention Culture and Leisure Department, (916) 808-8225, Convention Culture and Leisure Department.

Action: Moved, seconded, carried (Cohn/Fong; Absent - Fargo) to adopt Resolution No. 2007-151 as amended to include page two.

20. Regulation of Pedicabs (Passed for publication on 3-6-07, Published on 3-9-07)

Location: (Citywide)

Recommendation: Adopt: 1) an **Ordinance** adding chapter 5.94 to the Sacramento City Code regarding the regulation of pedicabs; 2) a **Resolution** approving the City Manager's pedicab rules; and 3) a **Resolution** approving the fees related to pedicab administration and enforcement.

Contact: Bob Rose, Chief of Code Enforcement, Code Enforcement Department, (916) 808-5947, Code Enforcement Department.

Action: Moved, seconded, carried (Tretheway/Fong; Absent - Fargo) to adopt Ordinance No. 2007-017, and Resolution Nos. 2007-152 and 2007-153 as amended.

21. Agreement: Aura Project

Location: 601 Capitol Mall, Central Business District (District 1)

Recommendation: Adopt a **Redevelopment Agency Resolution** 1) authorizing the approval of an Owner Participation Agreement (OPA) and related legal documents with Aura at 601 Capitol Mall, LLC (Developer) including an Intercreditor and Subordination Agreement to provide a \$10,000,000 loan for the construction of the project; 2) authorizing a borrowing for the project of \$10 million from Bank of America secured by Merged Downtown tax increment funds ; and 3) certifying the EIR as adequate for purposes of Agency CEQA reviewing and adopting the CEQA documentation and determinations, including mitigation measures and findings of overriding considerations made by the City for the project.

Contact: Leslie Fritzsche, Downtown Development Manager, (916) 808-5450, Economic Development Department.

Action: Continued to April 20, 2007.

Information Reports (Item 22)

These items are for information only and are not eligible for action at this time.

22. **Community Racial Profiling Commission Quarterly Report (October-December 2006) Title**

Location: (Citywide)

Recommendation: Receive and file.

Contact: James Maccoun, Lieutenant, (916) 433-0866, Police Department.

Action: Received and filed.

Public Comments- Matters Not on the Agenda – None.

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. **Board/Commission Appointments by Mayor Fargo – None.**
- b. **Report Backs – None.**
- c. **Meeting/Conference Reports – None.**

Recess – 2:55 p.m.

Reconvene – **7:00 p.m.**

Roll Call – 7:05 p.m. Mayor Fargo absent.

Pledge of Allegiance – led by Ray Tretheway

Special Presentations/General Communication - None.

In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

Public Hearings (Item 23 and 24)

Public hearings may be reordered by the Mayor at the discretion of the legislative bodies.

23. **Appeal: Paranjpe Rimmer Subdivision (P04-103)** (Noticed on 3-2-07)

Location: 447 Rimmer Avenue (District 1)

Recommendation: Conduct a public hearing and upon conclusion 1) adopt a **Resolution** approving the environmental exemption per the California Environmental Quality Act (CEQA) Section 15332; 2) adopt a **Resolution** denying the third party appeal and approving the subdivision; and 3) adopt a **Resolution** approving the South Natomas Community Plan Land Use Map amendment.

Contact: David Hung, Associate Planner, (916) 808-5530; Lindsey Alagozian, Senior Planner, (916) 808-2659, Development Services Department.

Action: No public comment. Moved, seconded, carried (Tretheway/Sheedy; Noes: Hammond/Pannell; Absent - Fargo) to close the public hearing and adopt Resolution Nos. 2007-154, 2007-155 as amended and 2007-156.

24. **(Housing Authority/City Council) Natomas Family Apartments Project** (Noticed on 2-24-07)

Location: Del Paso Road and Blackrock Road (District 1)

Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **City Resolution** approving a grant \$407,000 funded by the City Affordable Housing Fee Reduction Fund; 2) a **Housing Authority Resolution** approving the issuance of up to \$18,000,000 in tax-exempt mortgage revenue bonds to provide construction and permanent financing for the project; 3) a **City Resolution** approving the issuance and delivery of tax-exempt mortgage revenue bonds for the purpose of financing the acquisition of the project; and 4) a **City Resolution** a) approving the negative declaration; b) authorizing the Sacramento Housing and Redevelopment Agency to transfer \$1,093,000 from the City Housing Trust Fund to the project; c) approving the financing for the project in the amount of \$1,093,000; and 3) authorizing the Agency to prepare, execute, and transmit all loan documents and any technical amendments for the loan with CIC Natomas, L.P. for the project.

Contact: Nancy Cook, Director of Housing Policy and Development, (916) 440-1319, Jim Hare, Assistant Director, Housing Policy and Development, (916) 440-1313, Sacramento Housing and Redevelopment Agency.

Action: No public comment. Moved, seconded, carried (Tretheway/Pannell; Absent – Fargo) to close the public hearing and adopt City Resolution Nos. 2007-157, 2007-158, 2007-159, and Housing Authority Resolution 2007-003.

Staff Reports (Items 25 and 26)

Staff reports include an oral presentation including those recommending receive and file.

25. **(Redevelopment Agency/City Council) K Street Streetscape Improvements (KD 71)**

Location: (District 1)

Recommendation: 1) Adopt a **Redevelopment Agency Resolution:** a) approving a K Street Streetscape design concept plan for the K Street Mall, between 7th and 12th streets and St. Rose of Lima Park in the Merged Downtown Redevelopment Area; b) approving the relocation of two Regional Transit (RT) mini-high platforms from the 700 and 1000 blocks to the 800 and 1100 blocks of K Street respectively; and c) authorizing the Executive Director, or her designee, to allocate \$4 million of Merged Downtown Redevelopment tax increment funds and execute an Individual Project Agreement (IPA) for implementation of phase one improvements; and 2) adopt a **City Resolution:** a) approving a design concept plan for the K Street Streetscape project, between 7th and 12th streets and St. Rose of Lima Park in the Merged Downtown Redevelopment Area; b) authorizing the bidding of the project for construction; and c) authorizing the City Manager, or his designee, to enter into an IPA with the Redevelopment Agency for the project; and d) amending the revenue and expenditure budget for KD71 in the amount of \$4,000,000.

Contact: Melissa Anguiano, Economic Development Project Manager, 808-5864; Leslie Fritzsche, Downtown Development Manager, 808-5450, Economic Development Department.

Action: Continued to April 3, 2007

26. **(Redevelopment Agency) 3409/3413 Broadway and 3434/3436 2nd Avenue Project**

Location: Oak Park Redevelopment Area (District 5)

Recommendation: Adopt a **Redevelopment Agency Resolution** authorizing the Executive Director or her designee to 1) allocate \$2,300,000 to the Broadway/2nd Avenue Development Project to acquire the project and prepare the site for development; and 2) transfer \$2,300,000 of 2005 Oak Park Taxable bond funds to the Broadway and 2nd Avenue Acquisition Project.

Contact: Chris Pahule, Assistant Director, (916) 440-1350, Sarah Hansen, Redevelopment Manager, (916) 440-1322, Sacramento Housing and Redevelopment Agency.

Action: Public comment given by Tom Sumpter, Wendy Saunders, Richard Perry, Linda Roberts, Jefferson Reynolds, Ron Emslie, Clara McKeithern, Al Williamson, Joany Titherington, LaTisha Lawson, Mary Lou Lackey, Mark Rentz, Beth Kivel, Joan Barden, and Terre Johnson. Moved, seconded, carried (Hammond/Sheedy; Absent - Fargo) to adopt Redevelopment Agency Resolution No. 2007-018.

Public Comments- Matters Not on the Agenda

- a. The following people spoke on item number 25, K Street Streetscape Improvements that was continued to April 3, 2007 – George Holden, Moss Bittner, Moe Mohanna, and Alan Miller.
- b. Curtis Jones – condominiums being built at Northfield.
- c. Cheryl Leff – International Film Festival announcement and invitation

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. **Board/Commission Appointments by Mayor Fargo** – None.
- b. **Report Backs** – None.
- c. **Meeting/Conference Reports** – None.

Adjournment – 9:00 p.m.