



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

CITY COUNCIL

Heather Fargo, Mayor
Raymond L. Tretheway III, District 1
Sandy Sheedy, District 2
Steve Cohn, District 3
Robert King Fong, Vice-Mayor, District 4
Lauren Hammond, District 5
Kevin McCarty, District 6
Robbie Waters, District 7
Bonnie Pannell, District 8

Summary

Tuesday, January 16, 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 to be 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 website and include all attachments and exhibits. "To Be Delivered" and "Supplemental" reports will be published as they are received. Hard copies are available at the Office of the City Clerk. (25 cents per page)

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SUMMARY

Tuesday, January 16, 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 - 2:00 p.m.

Roll Call – 2:08 p.m. All present Councilmember Cohn arrived at 2:20 p.m.

Special Presentations/General Communications

Shirley Concolino, City Clerk, introduced Aimee Felker, the new Records Manager.

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

Consent Calendar (Items 1 - 17)

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 - Cohn) to adopt the Consent Calendar in one motion except as indicated

- (City Council/Redevelopment/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 January 4, 2007.

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

Action: Approved recommendation
- Open Application Period for Various Boards/Commissions/Committees**
Location: (Citywide)

Recommendation: Open an application period for Meadowview Development Committee to fill nine (9) positions, opening January 17, 2007 with applications due February 16, 2007.

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(s): 1) North Sacramento Redevelopment Advisory Committee – David Veden (Category A); 2) Compensation Commission – Raul Ramirez (Category B); 3) 65th Street Redevelopment Advisory Committee – Phil Garcia (Category A-3); 4) Paratransit, Inc. Board of Directors – Marty D. Omoto (Category A); 5) Retirement Hearing Commission – Harry Gibbons (Category C); 6) Sacramento Environmental Commission – Panama Bartholomy (Category A); and 7) Community Racial Profiling Commission – Crystal Taylor (Category E).

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. Confirmation of Board and Commission Appointments

Location: (Citywide)

Recommendation: Confirmation of board/commission appointment(s):
1) Preservation Commission – Timothy Brandt (category A), Andrew Hope (category B), Peter Booher (Category D), Karen Jacques (Category F) and Joe Stinson (Category G);
2) Design Commission – James Fong (Category A), Brian Sehnert (Category B), Edmonds Chandler (Category C), Wendy LaBarge (Category F) and David Nybo (Category G)

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.

5. Agreements: BMW Motorcycle Maintenance and Repair Services and Parts (2/3 Vote Required)

Location: (Citywide)

Recommendation: Adopt a **Resolution:** 1) Suspending competitive bidding; and 2) authorizing the City Manager to execute two agreements: a) Ozzie's BMW Center for a total amount not to exceed \$100,000; and b) A&S Motorcycle Parts, Inc. for a total amount not to exceed \$250,000 for BMW motorcycle maintenance and repair services and parts.

Contact: Keith Leech, Fleet Manager, (916) 808-5869, Christopher Stewart, Procurement Services Manager, (916) 808-6202, General Services Department.

Action: Councilmember Waters removed from Consent Calendar for discussion. Moved, seconded, carried (Waters/Fong) to adopt Resolution No. 2007-017.

6. **Interagency Agreement: Water Forum Successor Effort (WFSE) FY2006-07 Budget**
Location: (Citywide)
Recommendation: Adopt a **Resolution** authorizing the City Manager to execute the annual Water Forum Successor Effort (WFSE) Cost Share Agreement.
Contact: Kathy Howard, (916) 808-1995, Utilities Department.
Action: Adopted Resolution No. 2007-018. AG2007-0029
7. **Contracts: Extensions for Streetscape Maintenance**
Location: (Citywide)
Recommendation: Adopt a **Resolution** authorizing the City Manager to extend eleven contracts (based on geographic areas) with five streetscape maintenance contractors (Valley, Cazares, East Bay Environmental, Plantech and California) for annual amounts varying from \$33,600 to \$58,980 that allow annual extensions with price increases not to exceed five percent (5%).
Contact: Juan Montanez, Street Services Manager, (916) 808-2254; Gabriel Morales, Interim Operations General Supervisor (916) 808-2289, Department of Transportation.
Action: Adopted Resolution No. 2007-019.
8. **Contract Amendment: Telecommunication Cabling Services**
Location: (Citywide)
Recommendation: Adopt a **Resolution** amending City Agreement No. 2006-1254 with Integrity Data and Fiber (IDF) for telecommunication cabling and fiber wiring services to increase the annual not to exceed amount from \$200,000 to \$300,000.
Contact: Xavier Covarrubias, Information Technology Supervisor, (916) 808-8512, Ignacio Estevez, Program Manager, (916) 808-7349, Information Technology Department.
Action: Adopted Resolution No. 2007-020.
9. **Supplemental Agreement: Freeport Boulevard/21ST Street Two-Way Conversion Project (PN: SL01)**
Location: (Districts 4 and 5)
Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute Supplemental Agreement No. 2 to Agreement 2005-0131 with Wood Rodgers in the amount of \$50,500 for a total contract amount of \$408,387; and 2) restoring the City Manager's Supplemental Agreement authority.
Contact: Nader Kamal, Special Projects Engineer, 808-7035; Jon Blank, Supervising Engineer, 808-7914, Department of Transportation.
Action: Adopted Resolution No. 2007-021. Councilmember Hammond requested a copy of the list that qualifies ESBD 20% participation and that any intersection design changes be brought back to council.

10. Supplemental Agreement: Specialized Legal Services

Location: (District 3)

Recommendation: Adopt a **Resolution** authorizing the City Attorney to enter into Supplemental Agreement No. 2 for Legal Services Agreement with Shute, Mihaly & Weinberger, LLP, to provide specialized legal services to the City with respect to the matters of Service Employees International Union, United Healthcare Workers West v. City of Sacramento, et al., Sacramento Superior Court Case number 06CS00026 and Third District Court of Appeals case number C054087 in an amount not to exceed \$200,000.

Contact: Eileen Teichert, City Attorney (916) 808-5346, Office of the City Attorney.

Action: Adopted Resolution No. 2007-022.

11. Supplemental Agreement: Department of General Services Re-Engineering

Location: (Citywide)

Recommendation: Adopt a **Resolution:** 1) Approving Supplemental Agreement No. 1 to County Agreement WA00019176 for an amount not to exceed \$102,000 with CPS Human Resource Services for the Department of General Services re-engineering project, and 2) resetting the City Manager's supplemental agreement authority for the project.

Contact: Reina J. Schwartz, Director, Department of General Services, (916) 808-7195, General Services Department.

Action: Adopted Resolution No. 2007—023.

12. Change Order No. 2: Ethel MacLeod Hart Multipurpose Senior Center (C195)

Location: 915 27th Street, (District 3)

Recommendation: Adopt a **Resolution:** 1) Approving Change Order No. 2 to Contract 2006-189 with PnP Construction, Inc., in the amount of \$52,832 for the project; and 2) authorizing the City Manager to execute Change Order No. 2 in the amount of \$52,832 for the project.

Contact: David L. Morgan, Associate Architect, (916) 808-8425; Brian Reilly, Interim Supervising Engineer, (916) 808-8427, General Services Department.]

Action: Adopted Resolution No. 2007-024.

13. (City Council-Redevelopment Agency- Housing Authority) Salary Range Changes for Sacramento Housing and Redevelopment Agency (SHRA) Counsel Classifications

Location: (Citywide)

Recommendation: 1) Adopt a **City Resolution** to approve salary range changes for SHRA Agency Counsel Classifications; 2) adopt a **Housing Authority Resolution** to approve salary range changes for SHRA Agency Counsel Classifications; and 3) adopt a **Redevelopment Agency Resolution** to approve salary range changes for SHRA Counsel Classifications.

Contact: Anne Moore, Executive Director, (916) 440-1319, James Shields, Director of Administration, (916) 440-1308, Sacramento Housing and Redevelopment Agency.

Action: Adopted City Resolution No. 2007-025, Housing Authority Resolution No. 2007-001 and Redevelopment Agency Resolution No. 2007-004.

14. (Pass for Publication) Ordinance Authorizing Needle Exchange Programs

Location: (Citywide)

Recommendation: 1) Review the Ordinance adding Chapter 9.11 to the Sacramento City Code (SCC) relating to the authorization of clean needle and syringe exchange programs; 2) Pass for Publication the Ordinance title as required by Sacramento City Charter section 32(c) to be adopted January 23, 2007.

Contact: Yvette Rincon, Legislative Analyst, (916) 808-5827, City Manager's Office.

Action: Approved recommendation.

15. (Pass for Publication) Sotillo Estates Rezone

Location: 3110 29th Avenue, Sacramento, CA. APN: 010-0221-011. (District 5)

Recommendation: 1) Review a Resolution determining the project exempt from environmental review, 2) review an Ordinance amending the comprehensive Zoning Ordinance (Title 17 of the Sacramento City Code); 3) Pass for Publication the Ordinance title as required by Sacramento City Charter 32c to be adopted January 23, 2007.

Contact: Antonio Ablog, Associate Planner (916) 808-7702; Tom Buford, Senior Planner, (916) 808-7931, Development Services Department.

Action: Approved recommendation.

16. Ordinance to Levy a Special Tax-Del Paso Nuevo Landscaping Community Facilities District No. 2006-06 (Passed for Publication 1/9/07)

Location: North Sacramento (District 2)

Recommendation: Adopt an **Ordinance** Levying a Special Tax for property in the Del Paso Nuevo Landscaping Community Facilities District No. 2006-06.

Contact: Steven Sakakihara, Administrative Technician, (916) 808-8970; Ron Wicky, Program Specialist, (916) 808-5628, Planning Department.

Action: Adopted Ordinance No. 2007-001.

17. Ordinance to Levy a Special Tax -Annexation No. 13 to the North Natomas Neighborhood Landscaping Community Facilities District No. 99-02 (Hamptons 6 & 7) (Passed for Publication 12/12/06)

Location: North Natomas (District 1)

Recommendation: Adopt an **Ordinance** Levying a Special Tax for property annexed into the North Natomas Neighborhood Landscaping Community Facilities District No. 99-02.

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

Action: Adopted Ordinance No. 2007-002.

Public Hearings (Item 18 - 21)

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

- 18. Fifth Amendment to the Richards Boulevard Redevelopment Plan** (Passed for Publication 1/9/07) (Noticed 1/2/07 and 1/9/07)
Location: Richards Boulevard Redevelopment Project Area (Districts 1 and 3)
Recommendation: 1) Conduct a Public Hearing and upon conclusion, and adopt a **Redevelopment Agency Resolution** approving and transmitting to the Sacramento City Council the proposed Fifth Amendment to the plan; and 2) adopt an **Ordinance** approving the Fifth Amendment to the plan to repeal the time limit on indebtedness.
Contact: Rachel Hazlewood, Sr. Development Project Manager, (916) 808-8645
Dave Harzoff, Economic Development Manager, (916) 808-5385, Economic Development Department.
- Action:** There was no public comment. Moved, seconded, carried (Tretheway/Sheedy) to close the public hearing and adopt Redevelopment Agency Resolution No. 2007-005 and Ordinance No. 2007-003.
- 19. Code Enforcement Case Fees and Penalties – Findings of Fact for Special Assessment Liens** (Noticed 11/14/06)
Location: (Citywide)
Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** placing liens on the properties in the amount of \$17,413 for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.
Contact: Ron O'Connor, Code Enforcement Manager, (916) 808-8183, Code Enforcement Department.
- Action:** There was no public comment. Moved, seconded, carried (Sheedy/Pannell) to close the public hearing and adopt Resolution No. 2007-026 as amended.
- 20. Code Enforcement Case Fees and Penalties – Findings of Fact for Special Assessment Liens** (Noticed 11/14/06)
Location: (Citywide)
Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** placing liens on the properties in the amount of \$17,920 for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.
Contact: Ron O'Connor, Code Enforcement Manager (916) 808-8183, Code Enforcement Department.
- Action:** There was no public comment. Moved, seconded, carried (Sheedy/Pannell) to close the public hearing and adopt Resolution No. 2007-027 as amended.
- 21. Annexation No. 31 to the Neighborhood Landscaping District (Cameron 5)** (Noticed 11/15/06)
Location: South Sacramento – Bruceville Road and West Wing Drive (District 8)
Recommendation: Conduct the Public Hearing and upon conclusion direct staff to count the ballots and return later during the meeting with the results; and if ballots

affirm adopt a **Resolution** 1) approving the Engineer's Report, 2) ordering the annexation of territory, 3) confirming and levying an assessment to pay for maintenance of improvements; and 4) recording a copy of assessments with the County Recorder.

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

Action: There was no public comment. Moved, seconded, carried (Pannell/Hammond) to close the public hearing and adopt Resolution No. 2007-028. Ballot count was all eyes – 100%.

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 - 2:25 p.m.

Reconvene – **7:00 p.m.**

Roll Call - 7:05 p.m. All present

Pledge of Allegiance led by Robbie Waters

Special Presentations/General Communications – None.

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

Public Hearings (Item 22)

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

- 22. **Development Proposal: Fulton Avenue Development (P06-012)** (Passed for Publication 1/9/07) (Noticed on 1/5/07)

Location: Northeast of Business 80 & Fulton Avenue, 3701 Fulton Avenue, APN: 254-0011-027 (District 2)

Recommendation: Conduct a public hearing and upon conclusion 1) Adopt a **Resolution** certifying the Environmental Impact Report and adopting a Mitigation Monitoring Plan; 2) Adopt a **Resolution** approving the General Plan Amendment; 3) Adopt a **Resolution** approving the establishment of the Fulton Avenue Planned Unit Development (PUD) including PUD Guidelines and PUD Schematic Plan; 4) Adopt an **Ordinance** amending the Comprehensive Zoning Ordinance (Title 17 of the Sacramento City Code).

Contact: Jamie Cutlip, Assistant Planner, (916) 808-8684; Gregory Bitter, Principal Planner, (916) 808-7816, Development Services Department.

Action: Public comment given by Jim Elliott and Greg Thatch. Moved, seconded, carried (Sheedy/Cohn) to close the public hearing and adopt Resolution Nos. 2007-029 as amended to include the Errata sheets, 2007-030, and 2007-031 and Ordinance 2007-004 with the condition that special consideration be given to planting as many trees as possible.

Staff Reports (Item 23)

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

23. Update of the 1985 American River Parkway Plan

Location: (Citywide)

Recommendation: Adopt a **Resolution:** 1) directing staff to proceed with the preparation of an Environmental Impact Report (EIR) under the California Environmental Quality Act (CEQA); and 2) directing staff to forward comments from the City Council and the City's advisory bodies to the Project Management Team to evaluate their potential effects on the environmental analysis.

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

Action: Public comment given by Lee Frechette, Frank Cirill, and Peggy Berry. Moved, seconded, carried (Tretheway/Hammond) to adopt Resolution No. 2007-032 as amended to include Rancho Cordova proposals in the EIR process and if there are costs associated with the landfill cleanup then Rancho Cordova must pay their share.

Public Comments- Matters Not on the Agenda – None.

Council Comments-Ideas, Questions and Meeting/Conference Reports

a. Board/Commission Appointments by Mayor Fargo

1. 65th Street Redevelopment Advisory Committee
 - a. Marcia Maleske
 - b. Dave O'Toole

b. Report Backs

1. Cohn – warming shelter information to include staffing requirements, costs, sites, capacity, etc.
2. Sheedy – Smoke detector code update to require smoke detectors in all homes.
3. McCarty – Review downtown parking plan so that private business may use city lots on the weekends.

c. Meeting/Conference Reports – None.

Adjournment - 10:00 p.m. in memory of Jim Sanford and Frank Lukenbill.