



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

CITY COUNCIL

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

Summary

Tuesday, November 25, 2008

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
Russ Fehr, 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 and all written material received is available at the meeting for public review.

Meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. (Check Listings)

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Summary

Tuesday, November 25, 2008

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 - A regular meeting of the Sacramento City Council was called to order by Mayor Fargo at 2:06 p.m. Tuesday, November 25, 2008 at the Sacramento City Hall Council Chamber. All members present.

Consent Calendar (Items 1 - 23)

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

1. **(City Council/Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for November 6, 2008**

Location: (Citywide)

Recommendation: Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for November 6, 2008.

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) Development Oversight Commission to open 11/26/08 with applications due 12/12/08; 2) Sacramento Youth Commission to open 11/26/08 with applications due 12/12/08.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Katia Ligaiviu, 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 appointments to: 1) Sacramento Disabilities Advisory Committee – Neal Eli Albritton; 2) Ethel MacLeod Hart Advisory Committee – Peggy Roark (Category C); 3) Sacramento Environmental Commission – Kristin L. Garcia (Category A); and 4) Capitol Area Development Authority – Robert G. Lagomarsino (Category B) and 5) City Planning Commission – Barry Wasserman.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk.

Action: Approved recommendation.

4. Confirmation of Board and Commission Appointments

Location: (Citywide)

Recommendation: Confirm the Mayor's appointment of Council Member Bonnie Pannell as a regular member to the Sacramento Area Flood Control Agency (SAFCA).

Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

Action: Approved recommendation.

5. Rental Housing Inspection Program Fee Collection Process (Passed for Publication on 11-18-08, Published on 11-21-08)

Location: (Citywide)

Recommendation: Adopt an **Ordinance** amending Section 8.120.210 of the Sacramento City Code; adding Sections 8.120.220 through 8.120.270 of the Sacramento City Code relating to the collection of unpaid fees, costs or charges; and amending Section 8.120.050 of the Sacramento City Code relating to the establishment of fees.

Contact: Max Fernandez, Director Code Enforcement, (916) 808-7940, Randy Stratton, Chief of Housing & Dangerous Buildings, (916) 808-6497, Code Enforcement Department.

Action: Adopted Ordinance No. 2008-055.

6. (Pass for Publication) 2007 California Building Code, California Plumbing Code and California Mechanical Code

Location: (Citywide)

Recommendation: 1) Review an Ordinance amending various sections of Title 15 of the Sacramento City Code relating to the Sacramento City Building Code and Adoption of Local amendments to the California Building Code; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted December 2, 2008.

Contact: Ed Short, Supervising Engineer, (916) 808-8859, Bob Chase, Chief Building Official, (916) 808-8024, Development Services Department.

Action: Approved recommendation.

7. **(Pass for Publication) Franklin Point (P05-153)**

Location: Southwest corner at the intersection of Franklin Blvd. and Mack Road (District 7)

Recommendation: 1) Review a) Resolution adopting the Mitigated Negative Declaration and approving the Mitigation Monitoring Plan; b) a Resolution approving the PUD Guidelines and Schematic Plan amendments; c) a Resolution approving the project with a Tentative Map; Special Permits to operate a convenience market, and to allow the sale of beer and wine at the convenience market for off-site consumption; and a Plan Review of a commercial mixed-use project in the Shopping Center Planned Unit Development (SC-PUD); and d) an amendment to Ordinance 93-033 to eliminate a condition prohibiting the sale of beer and wine for off-site consumption; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted on December 2, 2008.

Contact: Kimberly Kaufmann-Brisby, Associate Planner, (916) 808-5590 Nedzlene Ferrario, Senior Planner, (916) 808-7826, Development Services Department.

Action: Approved recommendation.

8. **Sewer Credit Approval: Duckhorn Village Project**

Location: 3901 Duckhorn Drive (District 1)

Recommendation: Adopt a **Resolution** awarding a total of 56.25 Sacramento Regional County Sanitation District (SRCSD) connection fee credits to the project.

Contact: Trevor Walton, Project Specialist, (916) 808-6764, Economic Development Department.

Action: Adopted Resolution No. 2008-759.

9. **Sewer Credit Approval: Reiner Subdivision Extension Project**

Location: Reiner Way (District 1)

Recommendation: Adopt a **Resolution** awarding a total of 18.00 Sacramento Regional County Sanitation District (SRCSD) connection fee credits to the project.

Contact: Trevor Walton, Project Specialist (916) 808-6764, Economic Development Department.

Action: Adopted Resolution No. 2008-760.

10. **Sewer Credit Approval: Value Place Hotel Project**

Location: 7789 La Mancha Way (District 8)

Recommendation: Adopt a **Resolution** awarding a total of 60.88 Sacramento Regional County Sanitation District (SRCSD) connection fee credits to the project.

Contact: Trevor Walton, Project Manager, (916) 808-6764, Economic Development Department.

Action: Adopted Resolution No. 2008-761.

11. **Grant/Agreements: Participation in California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team**
Location: (Citywide)
Recommendation: Adopt a **Resolution** authorizing the City Manager, or his designee, to enter into Memorandum of Understanding as the sponsoring agency of a Federal Emergency Management Agency (FEMA) Urban Search and Rescue team (US&R), California Task Force Seven (CA TF-7) for training and potential deployment to disasters per FEMA instruction with 1) County of Sacramento – Airport System; 2) Roseville Fire Department; 3) FBA, Inc., 4) City of West Sacramento; 5) Sacramento Metropolitan Fire District; and 6) Greg Richards.
Contact: Ed Vasques, Assistant Chief, (916) 264-7522, Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department.
Action: Adopted Resolution No. 2008-762. AG 2008-1078 thru 2008-1083
12. **Grant/Agreement: California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team’s Republican National Convention (RNC) Deployment (G12701500)**
Location: (Citywide)
Recommendation: Adopt a **Resolution:** 1) authorizing the City Manager, or his designee, to execute the agreement (EMW-2008-CA-1498, Amendment M002) accepting federal funding in the amount of \$42,000 for the California Task Force Seven (CA TF-7), Urban Search and Rescue; 2) establishing an operating grant; and 3) establishing an \$42,000 revenue and expenditure budget for the CA TF-7 US&R RNC Deployment.
Contact: Greta Ossman, Administrative Analyst, (916) 808-1010, Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department.
Action: Adopted Resolution No. 2008-763. AG 2008-1084
13. **Grant/Agreement: Accept Federal Funds for California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team’s Hurricane Ike Deployment (G12701700)**
Location: (Citywide)
Recommendation: Adopt a **Resolution** 1) authorizing the City Manager, or his designee, to execute the agreement (EMW-2008-CA-1498, Amendment M003) accepting federal funding in the amount of \$128,000; 2) establishing an operating grant; 3) establishing an \$128,000 revenue and expenditure budget; and 4) accepting all grant related expenditures to the operating grant for CA TF-7 US&R Hurricane Ike Deployment.
Contact: Greta Ossman, Administrative Analyst, (916) 808-1010, Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department.
Action: Adopted Resolution No. 2008-764. AG 2008-1085

14. Grant/Agreement: California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team's Hurricane Gustav Deployment (G12701600)

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager, or his designee, to execute the agreement (EMW-2008-CA-1498) accepting federal funding in the amount of \$56,000; 2) establishing an operating grant; and 3) establishing an \$56,000 revenue and expenditure budget for the CA TF-7 US&R Hurricane Gustav Deployment.

Contact: Greta Ossman, Administrative Analyst, (916) 808-1010, Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department.

Action: Adopted Resolution No. 2008-765. AG 2008-1086

15. Purchase/Cooperative Agreement: Electrical Supplies

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) approving the use of U.S. Communities Purchasing Alliance (U.S. Communities) cooperative contract MA-IS-43272-6 to purchase electrical supplies from Graybar Electrical in an amount not to exceed \$750,000 through January 31, 2010 or until the contract is no longer available for use; and 2) authorizing the City Manager or the City Manager's designee to execute purchases in the amount specified above provided that sufficient funds are available in the budgets adopted for the applicable fiscal years.

Contact: Craig Lymus, Interim Procurement Services Manager, (916) 808-5524, General Services Department.

Action: Adopted Resolution No. 2008-766. AG 2008-1087

16. Lease Agreement: Office Space at 1331 Garden Highway

Location: 1331 Garden Highway (District 1)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager or the City Manager's designee to execute a sixty-two (62) month lease with one five-year renewal option with Sierra Health Foundation for office space at 1331 Garden Highway; and 2) authorizing the City Manager or the City Manager's designee to execute such additional documents and to take such additional actions as necessary to implement the lease agreement.

Contact: Rhonda R. Lake, Facilities and Real Property Superintendent, (916) 808-7902, Alan Boyd, Operations Manager, (916) 808-6077, General Services Department and Parks and Recreation Department.

Action: Adopted Resolution No. 2008-767. AG 2008-1088

17. Agreement: Cotton Lane for the Valley Hi/North Laguna Library Project (B13000800) (Continued from 11-18-08)

Location: 7320 Cotton Lane (District 8)

Recommendation: Adopt a **Resolution** authorizing the City Manager or the City Manager's designee to execute an agreement between the City of Sacramento and STL Company, LLC for: 1) reimbursement in the amount of \$750,000 from STL

Company, LLC to the City for roadway improvements necessary for construction of the project; 2) reimbursement from the City to STL Company, LLC in the amount of \$63,000 for the use of its approved engineering documents for the construction of Cotton Lane; and 3) amendment of the revenue and expenditure budgets for the project to reflect the reimbursement amount of \$750,000 (Fund 3702).

Contact: Kevin Love, Construction Manager, (916) 808-6818, Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

Action: Adopted Resolution No. 2008-768. AG 2008-1089

18. Lease Agreement: 4th “R” Child Care Program

Location: 5725-5735 47th Avenue (District 6)

Recommendation: Adopt a **Resolution** authorizing 1) the City Manager or City Manager’s designee to execute a five-year lease with the Sacramento City Unified School District for office space for the 4th “R” Child Care Program; and 2) authorizing the City Manager or the City Manager’s designee to execute such additional documents and to take such additional actions as necessary to implement the lease.

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

Action: Adopted Resolution No. 2008-769. AG 2008-1090

19. Contract: Max Baer Park Project (L19106000)

Location: 7851 35th Avenue (District 6)

Recommendation: Adopt a **Resolution** 1) approving the contract specifications and awarding the contract to Parker Landscape Development, Inc. for the development of the project for an amount not to exceed \$396,790; 2) appropriating \$500,000 of Park Development Impact Fees (PIF), Fund 3204; and 3) authorizing the City Manager to execute the contract for the project.

Contact: J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Tin-Wah Wong, Associate Landscape Architect, (916) 808-5540, Parks and Recreation Department.

Action: Adopted Resolution No. 2008-770. CO 2008-277

20. Agreement: Highway-Railroad Crossing Safety Account and Establishment of Capital Improvement Projects

Location: Downtown Railyards, Central City (District 1)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager or designee to execute an agreement with the California Transportation Commission and California Department of Transportation to continue work on the Track Relocation project and the initial phase of Railyards area infrastructure; and 2) establishing the 6th Street Extension Project (T15098800); and 3) establishing the 7th Street Extension Tunnel Project (T15098700).

Contact: Fran Halbakken, Operations Manager, (916) 808-7194, Transportation Department.

Action: Removed from Consent Calendar by staff. Moved, seconded, carried (Tretheway/McCarty) to adopt Resolution No. 2008-771 as amended. AG's 2008-1065, 2008-1066

21. October 2008 Monthly Investment Transactions Report

Location: (Citywide)

Recommendation: Receive and file.

Contact: Lydia Abreu, Investment and Operations Manager, (916) 808-7746, Shirley Tupaz, Investment Operations Analyst, (916)808-8295, Office of the City Treasurer.

Action: Received and filed.

22. Agreement: Drinking Water Quality Consultation Services (Z14001500/14001171)

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Manager to sign a professional services agreement with Water Quality & Treatment Solutions (WQTS), Inc., to provide drinking water quality regulatory consultation services for the City's municipal water supply in an amount not to exceed \$183,829 for the two year period.

Contact: Mike Yee, Plant Services Division Manager, (916) 808-5670, Roland Pang, Superintendent of Water and Sewer 808-1309, Utilities Department.

Action: Adopted Resolution No. 2008-772. AG 2008-1091

23. Agreement: FY2008/09 Budget of the Water Forum Successor Effort (WFSE)

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute the Interagency Agreement for Cost Sharing the funding of the FY2008/09 Budget of the Water Forum Successor Effort (WFSE) in the amount of \$923,520.

Contact: Kathy Howard, Administrative Analyst (916) 808-1995, Sarah Foley, Program Manager (916) 808-1997, Utilities Department.

Action: Adopted Resolution No. 2008-773. AG 2008-1092

Public Hearings (Items 24 and 25)

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

24. (City Council/Housing Authority) Southcrest Apartment Project (Noticed on 11-5-08)

Location: 7390 24th Street (District 8)

Recommendation: Conduct a public hearing and upon conclusion, adopt 1) a **City Resolution** a) indicating that the City Council has conducted a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing related to the proposed construction and permanent financing of the project, and b) approving the issuance of tax-exempt obligations; and 2) adopt a **Housing Authority Resolution** a) approving documents authorizing up to \$2,200,000 in tax-exempt bonds to finance the rehabilitation of the project, and b) authorizing the Interim Executive Director, or her designee, to execute all documents necessary to issue the bonds.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1319, Christine Weichert, Assistant Director, Housing and Community Development, (916) 440-1353, Sacramento Housing and Redevelopment Agency.

Action: No public comment. Moved, seconded, carried (Pannell/Waters) to close the public hearing and adopt City Resolution No. 2008-774 and Housing Authority Resolution No. 2008-019.

25. **(Redevelopment Agency) 65th Street Redevelopment Plan Area Five-Year Implementation Plan Time Extension** (Noticed on 11-5-08)

Location: 65th Street Redevelopment Project Area (Districts 3, 6)

Recommendation: Conduct a public hearing and upon conclusion adopt a **Redevelopment Agency Resolution** approving an amendment to the 65th Street Redevelopment Project Area Five-Year Implementation Plan.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1322, Chris Pahule, Assistant Director of Housing and Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency.

Action: No public comment. Moved, seconded, carried (Cohn/McCarty) to close the public hearing and adopt Redevelopment Agency Resolution No. 2008-082.

Staff Reports (Item 26)

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

26. **(Redevelopment Agency) Orleans Hotel Restaurant**

Location: 1022 Second Street, Old Sacramento Historic District (District 1)

Recommendation: Adopt a **Redevelopment Agency Resolution** a) authorizing the Executive Director or her designee to execute an Amendment to the Disposition and Development Agreement Dated October 17, 2007 and related legal documents with Old Sac Properties, LLC (Developer) to provide \$650,000 in assistance for restaurant tenant improvements in the newly constructed Orleans Hotel; 2) allocating \$650,000 of Merged Downtown Redevelopment tax increment funds to the Orleans Hotel Restaurant project; and 3) pledging project generated tax increment back to the project for a period of five years.

Contact: Sheri Smith, Economic Development Project Manager, (916) 808-7204; Leslie Fritzsche, Downtown Development Manager, (916) 808-5450, Economic Development Department.

Action: Public comment given by Mike Testa and Michael Ault. Moved, seconded, carried (Tretheway/Cohn) to adopt Adopted Redevelopment Agency Resolution No. 2008-083.

Public Comments-Matters Not on the Agenda – None.

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments
 - 1. Youth Commission – Brandon Shea (D3)
- b. Reports Back
 - 1. Sheedy – requested resolution be placed on next week’s agenda supporting shopping local.
- c. Meeting/Conference Reports – None.

Recess – 2:30 p.m.

Reconvene – 6:00 p.m.

Roll Call- A regular meeting of the Sacramento City Council was reconvened by Mayor Fargo at 6:10 p.m. Tuesday, November 25, 2008 at the Sacramento City Hall Council Chamber. All members present.

Pledge of Allegiance – led by Mayor Fargo

Special Presentations/General Communications

- a. **Swearing In Ceremony for Council Districts 2, 4, 6 and 8.**
 - 1. District 2- Sandy Sheedy
 - 2. District 4- Robert King Fong
 - 3. District 6- Kevin McCarty
 - 4. District 8- Bonnie Pannell

Action: District 2- Sandy Sheedy, sworn in by Joe Wagstaff; District 4-Robert King Fong sworn in by Julius Cherry, District 6-Kevin McCarty sworn in by Jermain Gill, District 8- Bonnie Pannell sworn in by Pastor Curtis Mitchell.

Public Comments-Matters Not on the Agenda - None.

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments – None.
- b. Reports Back - None.
- c. Meeting/Conference Reports – None.

Adjourned at 6:48 p.m.