REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

CONSENT
February 5, 2008

Honorable Mayor and Members of the City Council, Financing Authority
Housing Authority, and Redevelopment Agency

Title: Approval of Council Minutes for January 15, 2008

Location/Council District: (Citywide)

Recommendation:

Approve the afternoon and evening City Council, Redevelopment Agency, Housing Authority and Financing Authority for January 15, 2008.

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

Presenters: None

Department: City Clerk

Division: None

Organization No: 0700

Financial Considerations: None.

Environmental Considerations: None.

Policy Considerations: None.

ESBD Considerations: Not Applicable.

Respectfully Submitted by: Shirley Concolino
Shirley Concolino, City Clerk

Table of Contents:

Minutes for February 5, 2008

MINUTES

Tuesday, January 15, 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 2:07 p.m. on Tuesday, January 15, 2008 at the Sacramento City Hall Council Chamber. All members present

Special Presentations/General Communications

a. **Invitation to the Council to attend the activities for the celebration of Martin Luther King Day on January 21, 2008.**

Action: Plaque presented to Vincene Jones by Aliane Murphy

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

Consent Calendar (Items 1 - 13)

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

1. **(City Council/ Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for December 18, 2007**
Location: (Citywide)

Recommendation: Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for December 18, 2007.

Contact: Shirley Concolino, City Clerk, (916) 808-5442, 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) City Planning Commission to open 01/16/08 with applications due 02/15/08; 2) Board of Plumbing Examiners to open 01/16/08 with applications due 02/15/08; 3) Mechanical & Plumbing Code Advisory and Appeals Board to open 01/16/08 with applications due 02/15/08 and 4)

Electrical Code Advisory & Appeals Board to open 01/17/08 with applications due 02/15/08.

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. **Report Back: Panel of Hearing Examiners**
Location: (Citywide)

Recommendation: Adopt a **Resolution** directing staff to 1) refer all proposed applicants for the hearing examiner panel, established pursuant to Sacramento City Code section 8.04.070, to the Public Employee and Personnel Committee for review and recommendation prior to the City Council's appointment of new hearing examiners; and 2) prepare and bring forward to the Law and Legislation Committee an ordinance that a) makes the panel of hearing examiners subject to Article XV of the City Charter and the City Council and Commission Appointment Procedure Reform Ordinance of 1983; and b) provides objective criteria for the panel of hearing examiners to consider when granting continuances and modifying fines and penalties.

Contact: Ron O'Connor, Code Enforcement Manager, (916) 808-8183, Code Enforcement Department.

Action: Adopted Resolution No. 2008-017.

4. **(Pass for Publication) Broadway Lofts Project (P07-071)**
Location: 1901 Broadway, Sacramento (District 4)

Recommendation: 1) Review a) a Resolution determining the project is exempt under Section 15332 Infill Development; b) a Resolution approving the entitlements necessary to develop the project; c) a Resolution amending the Central City Community Plan for the project site; and d) an Ordinance amending the Comprehensive Zoning Ordinance relating to the Broadway Lofts project; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted January 22, 2008.

Contact: Evan Compton, Associate Planner, (916) 808-5260; Stacia Cosgrove, Senior Planner, (916) 808-7110, Development Services Department.

Action: Approved recommendation.

5. **Contract: Armored Car Services**
Location: (Citywide)

Recommendation: Adopt **a Resolution** 1) awarding a three-year contract with two one-year renewal options to Loomis Armored US for armored car services in a total amount not to exceed $753,000; and 2) authorizing the City Manager or the City Manager's designee to execute the contract and annual renewal options provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

Contact: Marc Robles, Program Analyst, Procurement Services, (916) 808-6343, Walker Black, Senior Management Analyst, (916) 808-5833, Finance Department.

Action: Adopted Resolution No. 2008-018.

6. **Supplemental Agreement: Sutter's Landing Regional Park Project (LS13)**
Location: 28th Street & B (District 3)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute Supplemental Agreement No. 01 to City Agreement No. #2007-0869 for the project with Callander Associates Landscape Architecture, Inc. for additional amenities being added to the phase of development of the project in an amount not to exceed $126,250.

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

Action: Adopted Resolution No. 2008-019.

7. **Agreement: 21st Century Community Learning Center After-School Program with Sacramento City Unified School District**
Location: (Districts 3, 4, 5, 6 and 7)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute an agreement and any extensions, amendments, or other related documents with the Sacramento City Unified School District as necessary for the City to be a 21st Century Community Learning Center program provider to the District at up to six high school sites and be reimbursed by the District up to $250,000 annually in FY 2008 through 2012.

Contact: Sylvia Fort, Division Manager, (916) 808-8381; Kim Mohler, Recreation Superintendent, (916) 808-8378, Parks and Recreation Department.

Action: Removed from consent for discussion. Moved, seconded, carried (Pannell/Fong) to adopt Resolution No. 2008-020.

8. **(Pass For Publication) Greenbriar (M05-046 / P05-069)**
Location: South of Elkhorn Boulevard, north of Interstate 5, west of Highway 99, and east of Metro Airpark (County) / Adjacent to District 1

Recommendation: 1) Review a) a Resolution certifying the Environmental Impact Report and adopting the Mitigation Monitoring and Reporting Program for the project; (b) a Resolution authorizing the separate processing and approval of entitlements for the project; c) a Resolution initiating the Greenbriar Annexation; d) a Resolution adopting the Property Tax Exchange Agreement for the Greenbriar Annexation; e) a Resolution adopting the Greenbriar Financing Plan; f) a Resolution adopting an Inclusionary Housing Plan for the project; g) a Resolution amending the General Plan Land Use Map relating to the Greenbriar Panhandle Project; h) a Resolution establishing the Greenbriar Planned Unit Development Guidelines and Schematic Plan; i) a Resolution adopting Findings of Fact supporting the City Council override of the Airport Land Use Commission Decision that provisions in the proposed Greenbriar Project are consistent with the Airport comprehensive Land Use Plan; j) an Ordinance assigning the districts established by the Comprehensive Zoning Ordinance (Title 17 of the City Code) for the Greenbriar proposal on 577± acres; and 2) pass for publication

the Ordinance title as required by Sacramento City Charter 32c to be adopted on January 22, 2008.

Contact: Scot Mende, New Growth Manager, (916) 808-4756; Arwen Wacht, Associate Planner, (916) 808-1964, Planning Department.

Action: Approved recommendation.

9. McClellan Airport Self-Fueling Permit
Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager, or his designee, to accept a Self-fueling permit from Sacramento County, allowing the Sacramento Police Department to dispense aviation fuel at McClellan Airport.

Contact: Mike Carrasco, Acting Lieutenant, Traffic and Air Operations Section, (916) 433-0700, Police Department.

Action: Adopted Resolution No. 2008-021.

10. Time Extension: Folsom Boulevard Widening Project (T15018400)
Location: Hornet Drive to 65th Street and Ramona Avenue from Brighton Avenue to Folsom Boulevard (Districts 3 and 6)

Recommendation: Adopt a **Resolution** authorizing the Director of the Department of Transportation to sign and submit, on behalf of the City of Sacramento, a request to Caltrans for a Cooperative Work Agreement (CWA) time extension to utilize federal transportation funds authorized for the project.

Contact: Theresa Arnold, Senior Engineer, (916) 808-5514; Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.

Action: Adopted Resolution No. 2008-022.

11. On-Street Angled Parking Program (PN: TT61, S15071500)
Location: 17th Street between S Street and T Street (District 4)

Recommendation: Adopt a **Resolution** approving implementation of angled parking on the west side of 17th Street between S Street and T Street through the on-street angled parking program.

Contact: Mahesh Bhatt, Assistant Engineer, (916) 808-5956; David Edrosolan, Associate Engineer, (916) 808 5974; Hector Barron, City Traffic Engineer, (916) 808-2669, Transportation Department.

Action: Removed from consent for discussion. Public comment given by James Lombardi and Alexander Miller. Moved, seconded, carried (Waters/Fong) to adopt Resolution No. 2008-023.

12. **Agreement: Legal Services with the Law Offices of Martha H. Lennihan**
Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Attorney to enter into an agreement with the Law Offices of Martha H. Lennihan, to provide specialized legal services to the City with respect to water supply, water resources and water rights issues and proceedings, for an annual amount not to exceed $150,000.

Contact: Gary Reents, Director (916) 808-1433 Utilities Department; Joe Robinson, Senior Deputy City Attorney (916) 808-2009, Office of the City Attorney.

Action: Adopted Resolution No. 2008-024.

13. **Utilities Rate Advisory Commission** (Passed for publication on 1-3-08, published on 1-4-08)
Location: (Citywide)

Recommendation: Adopt an **Ordinance** adding Chapter 13.02 to Title 13 of the Sacramento City Code and amending Sections 2.16.100, 2.40.030 and 3.44.100 of the Sacramento City Code relating to the establishment of the Utilities Rate Advisory Commission.

Contact: Gary Reents, Director (916) 808-1433, Jessica Hess, Media Specialist (916) 808-8260, Utilities Department.

Action: Removed from consent and presented as staff report. Moved, seconded, carried (Cohn/Fong) Adopted Ordinance No. 2008-001.

Public Hearings (Items 14 and 15)

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

14. **Housing Case Fees and Penalties – Findings of Fact for Special Assessment Liens** (Noticed on 11-21-07)
Location: (Citywide)

Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** placing liens on the properties in the amount of $37,675.15 for unpaid fees and penalties and transmitting 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: No public comment. Moved, seconded, carried (Sheedy/Fong) to close the public hearing and adopt Resolution No. 2008-025 as amended.

15. **Code Enforcement Case Fees and Penalties – Findings of Fact for Special Assessment Liens** (Noticed on 11-21-07)
Location: (Citywide)

Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** placing liens on the properties in the amount of $44,316.73 for unpaid fees

and penalties and transmitting the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

Contact: Dennis Kubo, Program Manager, (916) 808-8577, Code Enforcement Department.

Action: No public comment. Moved, seconded, carried (Sheedy/Fong) to close the public hearing and adopt Resolution No. 2008-026.

Staff Reports (Items 16 and 17)

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

16. Preservation Development Standards Public Review Draft
Location: (Citywide)

Recommendation: Review and comment.

Contact: Roberta Deering, Senior Planner, (916) 808-8259; William Crouch, Urban Design Manager, (916) 808-8013, Development Services Department.

Action: Received and filed.

17. Fiscal Year 2008/2009 Measure A Expenditure Plan & Related Approvals
Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) approving the FY 2008/2009 Measure A Expenditure Plan; 2) directing staff to submit the FY 2008/2009 Measure A Expenditure Plan to the Sacramento Transportation Authority (STA); 3) accepting the FY 2006/2007 Measure A Construction interest allocation of $2,532,783; 4) directing staff to submit the FY 2006/2007 Measure A Construction interest allocation funding plan to STA; 4) approving the Fund 2023 New Measure A Construction name change to Fund 2023 New Measure A Project Construction; and 5) authorizing staff to create two new funds Fund 2025 New Measure A Construction, and Fund 2026 New Measure A Maintenance.

Contact: Nicholas Theocharides, Engineering Services Manager, (916) 808-5065; Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.

Action: No public comment. Moved, seconded, carried (Tretheway/Sheedy) to adopt Resolution No. 2008-027.

Information Reports (Item 18)

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

18. Informational Report: Community Racial Profiling Commission Quarterly Report (July - September 2007)
Location: (Citywide)

Recommendation: Receive and file.

Contact: Sylvia Moir, Lieutenant, (916) 808-0850, Police Department.

Action: Received and filed.

Public Comments-Matters Not on the Agenda

a. Ron Emslie – landlord Din Wong
b. Jeff Hadden – Rent Controls and code change request for NPC Firewood

Council Comments-Ideas, Questions and Meeting/Conference Reports

a. Board/Commission Appointments – None.
b. Report Backs
   1. Mayor Fargo – review transient occupancy tax ordinance as part of budget presentations
c. Meeting/Conference Reports – None

Closed Session

City Council

a) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Harris v. City of Sacramento, Sacramento County Superior Court Case No. 07AS00810.

Sacramento Housing and Redevelopment Agency

a) Pursuant to Government Code section 54956.8 for a matter pertaining to real property negotiations. Authorization to negotiate with California Rural Home Mortgage Finance Authority Homebuyers Fund for the acquisition of the real property located at 801 12th Street. (APN 006 0051 021 0000). The purpose is to confer with the Agency's chief negotiators, Lisa Bates, LaShelle Dozier, James Shields, Don Cavier, Dan Chamberlain and Heath Charamuga regarding the price, terms and conditions of the acquisition.

Recess to Closed Session – 3:32 p.m.

Reconvene – 6:00 p.m.

Roll Call - A regular meeting of the Sacramento City Council was called to order by Mayor Fargo at 6:06 p.m. on Tuesday, January 15, 2008 at the Sacramento City Hall Council Chamber. All members present.

Pledge of Allegiance – led by Robbie Waters.

Closed Session Report – In the Harris v. City of Sacramento case, the council voted unanimously to settle in the amount of $75,000.

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)).

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

Staff Reports (Item 19)

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

19. **Workshop: Greenbriar (M05-046 / P05-06)** (Continued from 1-8-08)
Location: South of Elkhorn Boulevard, north of Interstate 5, west of Highway 99, and east of Metro Airpark (County) (Adjacent to District 1)

Recommendation: Receive information and provide input to staff regarding the Greenbriar proposal for a future development of a 577± acre master planned community.

Contact: Scot Mende, New Growth Manager, (916) 808-4756; Arwen Wacht, Associate Planner, (916) 808-1964, Planning Department.

Action: Public comment given by William Kopper, Mike Wiley, Mike McKeever, Larry Greene, Carlene DeMarco, Chris Tooker, Jaclyn Hopkins, Lamaia Coleman, Eric Ross, Jon Ellison, Earl Withycombe, Walt Seifert, Richard Seyman, Alan Kilgore, Jim Pachl , Robert Burness, Alex Kelter, Lori Soldano, Richard Vantine, Tom Ramos, Jacqueline DeLu, Bob Lawlet, Glen Rickelton, Bob Ball, V. John White and Christine Murias. Received and filed.

Public Comments-Matters Not on the Agenda – None.

Council Comments-Ideas, Questions and Meeting/Conference Reports

a. Board/Commission Appointments – None.
b. Report Backs
   1. Councilmember Tretheway – PG&E and SMUD telephone pole placement.
c. Meeting/Conference Reports – None

Adjournment – 9:12.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the January 15, 2008 meeting as approved by the Sacramento City Council.

_____
Shirley Concolino, City Clerk