



REPORT TO COUNCIL City of Sacramento

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

CONSENT
February 12, 2008

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

Title: Approval of Council Minutes for January 22, 2008

Location/Council District: (Citywide)

Recommendation:

Approve the afternoon and evening City Council, Redevelopment Agency, Housing Authority and Financing Authority for January 22, 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:

Dawn Bullwinkel
for Shirley Concolino, City Clerk

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Minutes for January 22, 2008

MINUTES

Tuesday, January 22, 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 Vice-Mayor Cohn at 2:08 p.m. on Tuesday, January 22, 2008 at the Sacramento City Hall Council Chamber. Mayor Fargo absent.

Special Presentations/General Communications

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

- a. **Proclamation Declaring January 2008 as “Mentoring Month”**
Action: Proclamation presented to Sonja Stires.

Consent Calendar (Items 1- 9)

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/Tretheway; Absent – Mayor Fargo) to adopt the Consent Calendar in one motion except as indicated

1. **(City Council/ Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for January 3, 2008.**
Location: (Citywide)
Recommendation: Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for January 3, 2008.
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) Utilities Rate Advisory Commission to open 1/23/08 with applications due 2/22/08 and 2) Sacramento Commission of History and Science to open 1/23/08 with applications due 2/22/08.
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. Confirmation of Board and Commission Appointments

Location: (Citywide)

Recommendation: Confirmation of board/commission appointments to the: 1) Administration, Investment & Financial Management Board – Don E. Sperling (Category B); 2) Development Oversight Commission – Dennis Guerra and Scott Schriefer (Category A); 3) Human Rights & Fair Housing Commission – Barbara Ross, Loren Reed and Katherine Mitchell (Category A); 4) Natomas Basin Conservancy Board of Directors – William Edgar (Category A) and 5) Small Business Development & Employment Advisory Board – Elizabeth Cantu (Category A).

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. Appointment to the Retirement Hearing Commission

Location: (Citywide)

Recommendation: Receive and file.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk.

Action: Received and filed.

5. (Pass for Publication) Leisure Vistas Retirement Community (P99-094)

Location: 5423 Rio Linda Boulevard, west side of Rio Linda Boulevard, south of Robla Creek (District 2)

Recommendation: 1) Review **a)** a Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan; **b)** a Resolution amending the General Plan Land Use Map from Low Density Residential, Medium Density Residential, Neighborhood/Community Commercial and Office, and Parks, Recreation, and Open Space to Medium Density Residential, Neighborhood/Community Commercial and Office, and Open Space; **c)** a Resolution amending the North Sacramento Community Plan Land Use Map from Residential 4-8, Residential 11-21, Residential 11-29, Retail-General Commercial, and Parks, Recreation and Open Space to Residential 11-29, Retail/General Commercial, and Parks, Recreation, and Open Space ; **d)** a Resolution amending the Hansen Lakes Planned Unit Development (PUD) Schematic Plan and Development guidelines; **e)** a Resolution approving a Tentative Subdivision Map; **f)** a Resolution adopting an Inclusionary Housing Plan; **g)** an Ordinance rezoning from Standard Single-Family PUD (R-1-PUD), Single-Family Alternative PUD (R-1A-PUD), Multi Family PUD (R-2B-PUD), Multi-Family PUD (R-3-PUD), Shopping Center PUD (SC-PUD), and Agriculture-Open Space (A-OS) to Multi-Family Residential PUD (R-3-PUD), General Commercial PUD (C-2-PUD), and Open Space (A-OS); and 2) pass for publication the Ordinance title as required by the Sacramento City Charter 32c to be adopted January 29, 2008.

Contact: Antonio Ablog, Associate Planner, (916) 808-7702; Stacia Cosgrove, Senior Planner, (916) 808-6848, Development Services Department.

Action: Approved recommendation

6. Proposed Advanced Life Support (ALS) Fee Adjustments

Location: (District 3)

Recommendation: Adopt a **Resolution** amending City's Fee and Charge Report to be modified relative to the Fire Department's Advanced Life Support Service effective January 28, 2008.

Contact: Joseph A. D. Jackson, Assistant Fire Chief, Fire Department, (916) 264-8100, Fire Department.

Action: Adopted Resolution No. 2008-028

7. Agreement: Sacramento Intermodal Transportation Facility Project (T15029000) and Track Relocation Project (T15029005)

Location: Area between I Street Bridge and Seventh Street (District 1)

Recommendation: Adopt a **Resolution** 1) appropriating \$2,925,567 from New Measure A Construction (Fund 2023) to the Track Relocation Project for the execution of Phase I of the Professional Services Agreement with TranSystems for the environmental document and preliminary design for the proposed track realignment, 5th and 6th overcrossing, pedestrian tunnels around 2nd and 7th Street, one pedestrian tunnel under UPRR to access the new passenger platforms and Central Shops, and utility corridors under the relocated tracks; 2) appropriating \$3,247,470 from New Measure A Construction (Fund 2023) to the Sacramento Intermodal Transportation Facility Project to provide the required match for the execution of Phase I of the Professional Services Agreement with TranSystems and to fully fund the match requirements for the existing federal project; 3) appropriating \$500,000 from New Measure A Construction (Fund 2023) to the Site Acquisition Project to bring the project into balance; and 4) authorizing the City Manager to approve Phase I of Professional Services Agreement with TranSystems for an amount not to exceed \$2,788,590. This amount is to be encumbered as follows: the Sacramento Intermodal Transportation Facility Project (T15029000) (\$1,060,200) and Track Relocation Project (T15029005) (\$1,728,390).

Contact: Saed Hasan, Senior Engineer, (916) 808-7923; Hinda Chandler, Associate Architect, (916) 808-8422, Transportation Department.

Action: Adopted Resolution No. 2008-029

8. Agreement: I-5 Cosumnes River Boulevard Interchange Project (PN: TV76, T15018000)

Location: Interstate 5, one mile south of Pocket/Meadowview Road (Districts 7 and 8)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute a Cooperative Agreement and future amendments with Caltrans to move forward with design, right of way acquisition and construction of the project.

Contact: Saed Hasan, Senior Engineer, (916) 808-7923; Jon Blank, Supervising Engineer, (916) 808-7914, Transportation Department.

Action: Adopted Resolution No. 2008-030

9. Water Service to Areas Outside the City Limits

Location: (District 5)

Recommendation: Adopt a **Resolution** authorizing City water service to parcels outside the City limits located within the unincorporated area of the County.

Contact: David L. Brent, Engineering Services Manager, (916) 808-1420, Jim Peifer, Senior Engineer, (916) 808-1416, Utilities Department.

Action: Adopted Resolution No. 2008-031

Public Hearings (Items 10 - 12)

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

10. (City Council/Housing Authority/Redevelopment Agency) Tax-Exempt Bonds and Agency Loan for Broadway Senior Center Apartments (Noticed on 1-14-08)

Location: 5200 Broadway (District 5)

Recommendation: Conduct a public hearing and adopt 1) a **Housing Authority Resolution** a) indicating the willingness of the Housing Authority of the City of Sacramento to issue up to \$7,000,000 in tax-exempt mortgage revenue bonds to provide acquisition, construction, and permanent financing for the project; b) authorizing an application to the California Debt Limit Allocation Committee (CDLAC) for authority to issue the bonds; c) authorizing the Interim Executive Director or her designee to execute all necessary documents associated with the transaction; 2) 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 acquisition, construction, and permanent financing of the project; and b) approving the issuance of tax-exempt obligations; 3) a **City Resolution** a) approving funding from City Home Investment Partnership (HOME) funds for a Sacramento Housing and Redevelopment Agency (Agency) loan of up to \$1,100,000 for the project; and b) authorizing the Interim Executive Director or her designee to execute a commitment letter; and 4) a **Redevelopment Agency Resolution** a) approving funding from Tax Increment (TI) funds for a City Redevelopment Agency loan of up to \$1,000,000 for the project; and b) authorizing the Interim Executive Director to execute a commitment letter.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1316, Christine Weichert, Assistant Director, (916) 440-1353, Sacramento Housing and Redevelopment Agency.

Action: No public comment. Moved, seconded, carried (Hammond/McCarty; Absent-Mayor Fargo) to close the public hearing and adopt Housing Authority Resolution No. 2008-001, City Council Resolution Nos. 2008-032 and 2008-033 and Redevelopment Agency Resolution No. 2008-002

11. (City Council/Housing Authority/Redevelopment Agency) Tax-Exempt Bonds and Agency Loan for Casa de Angelo Apartments (Noticed on 1-4-08)

Location: 3151 Notre Dame Drive (District 6)

Recommendation: Conduct a public hearing and upon conclusion adopt a 1) **Housing Authority Resolution** a) indicating the willingness of the Housing Authority of the City of Sacramento to issue up to \$8,000,000 in tax-exempt mortgage revenue bonds to provide acquisition, construction, and permanent financing for Casa de Angelo Apartments; b) authorizing an application to the California Debt Limit Allocation Committee (CDLAC) for authority to issue the bonds; and c) authorizing the Interim Executive Director or her designee to execute all necessary documents associated with the application; 2) 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 acquisition, construction, and permanent financing of the project; and b) approving the issuance of tax-exempt obligations; 3) a **City Resolution** a) approving funding from City Home Investment Partnership (HOME) funds for a Sacramento Housing and Redevelopment Agency (Agency) loan of up to \$1,200,000 for Casa de Angelo Apartments; and b) authorizing the Agency to execute a commitment letter; and 4) a **Redevelopment Agency Resolution** a) approving funding from Tax Increment (TI) funds for a Redevelopment Agency loan of up to \$1,900,000 from City Aggregated Low/Mod Tax Increment funds for Casa de Angelo Apartments; and b) authorizing the Redevelopment Agency to execute a commitment letter.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1330, Christine Weichert, Assistant Director, (916) 440-1353, Sacramento Housing and Redevelopment Agency.

Action: No public comment. Moved, seconded, carried (McCarty/Fong; Absent – Mayor Fargo) to close the public hearing and adopt Housing Authority Resolution No. 2008-002, City Council Resolution Nos. 2008-034 and 2008-035 and Redevelopment Agency Resolution No. 2008-003.

12. Broadway Lofts Project (P07-071) (Noticed on 1-10-08, passed for publication on 1-15-08, published on 1-18-08)

Location: 1901 Broadway (District 4)

Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** determining the project is exempt under Section 15332 Infill Development; 2) a **Resolution** approving a tentative subdivision map, special permits, and variance for the Broadway Lofts project; 3) a **Resolution** amending the Central City Community Plan for the project site; and 4) an **Ordinance** rezoning from Heavy Commercial (C-4) to General Commercial (C-2) relating to the project.

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

Action: No public comment. Moved, seconded, carried (Fong/Sheedy; Absent – Mayor Fargo) to close the public hearing and adopt Resolution Nos. 2008-036, 2008-037 and 2008-038 and Ordinance No. 2008-002.

Staff Reports (Items 13 - 15)

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

13. Fiscal Year 2007 Comprehensive Annual Financial Report

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) accepting the June 30, 2007 Comprehensive Annual Financial Report, 2) accepting the June 30, 2007 Single Audit Reports, 3) accepting the June 30, 2007 Child Development Program Audit Reports, 4) accepting the Report to Management, 5) authorizing the designation of fund balance for the Fiscal Year 2008 balanced budget, 6) authorizing the designation of fund balance for high priority capital needs; and 7) amending the 2008 fiscal year budget to reflect actual beginning available fund balances.

Contact: Russell Fehr, Director of Finance, (916) 808-5832; Dennis Kauffman, Accounting Division Manager, (916) 808-5843

Action: Moved, seconded, carried (Hammond/McCarty; Absent – Mayor Fargo) to adopt Resolution No. 2008-039.

14. FY2007/08 Midyear Report

Location: (Citywide)

Recommendation: Adopt a **Resolution** approving recommended adjustments to the FY2007/08 Approved Budget necessary to fully implement the City's financial plan for the remainder of the fiscal year.

Contact: Leyne Milstein, Budget Manager, (916) 808-8491; Russell Fehr, Director of Finance, (916) 808-5832, Finance Department.

Action: Public comment given by Aaron Donan and Linda Roberts. Moved, seconded, carried (Fong/Tretheway; Absent – Mayor Fargo) to adopt Resolution No. 2008-040.

15. Supplemental Agreement: Human Rights/Fair Housing Commission Joint Powers Authority

Location: Citywide

Recommendation: Adopt a **Resolution** 1) approving amendment No. 6 to the Human Rights/Fair Housing Commission Joint Powers Authority (JPA) agreement No. 80-219; and 2) authorizing the Mayor to execute the agreement on behalf of the City.

Contact: Derrick Lim, Area Manager, Neighborhood Services, (916) 808-2260
Barbara Lehman, Executive Director, Human Rights/Fair Housing Commission, (916) 444-0903, Neighborhood Services Department.

Action: Moved, seconded, carried (Sheedy/Waters; Absent – Mayor Fargo) to adopt Resolution No. 2008-041.

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

Closed Session

City Council

- a) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. 718 K Street LLC v. City of Sacramento, et al., Sacramento County Superior Court Case No. 34-2008 00000578.
- b) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. K Street League, et al. v. City of Sacramento, et al., Sacramento County Superior Court Case No. 34-2008 00000573.
- c) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Sacramento Citizens Concerned about the Railyards, et al. v. City of Sacramento, et al., Sacramento County Superior Court Case No. 34-2008 00000504.
- d) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Downtown Plaza, LLC v. City of Sacramento, et al., Sacramento County Superior Court Case No. 34-2008 00000721.
- e) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. 718 K Street LLC v. City of Sacramento and Redevelopment Agency of the City of Sacramento, Sacramento County Superior Court Case No. 07CS00811.

Redevelopment Agency of the City of Sacramento
Housing Authority of the City of Sacramento
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.
Action: Withdrawn by Agency Counsel

Redevelopment Agency of the City of Sacramento

- b) Pursuant to Government Code section 54956.9 (c), pertaining to the initiation of litigation. One potential case.
- c) Pursuant to Government Code section 54956.9 (c), pertaining to the initiation of litigation. One potential case.
- d) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Redevelopment Agency of City of Sacramento v. Saca Development, LLC, et al., Sacramento County Superior Court Case No. 07AS00636.
- e) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. M.H. Mohanna v. Overland Pacific & Cutler LLC, et al, as amended to include the Redevelopment Agency of the City of Sacramento, Sacramento County Superior Court Case No. 07AS03616.
- f) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. 718 K Street LLC v. Overland Pacific & Cutler LLC and the Redevelopment Agency of the City of Sacramento et al., Sacramento County Superior Court Case No. 07AS03618.
- g) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. 718 K Street LLC v. City of Sacramento, et al., Sacramento County Superior Court Case No. 34-2008 00000578.
- h) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. K Street League, et al. v. City of Sacramento, et al., Sacramento County Superior Court Case No. 34-2008 00000573.
- i) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Sacramento Citizens Concerned about the Railyards, et al. v. City of Sacramento, et al., Sacramento County Superior Court Case No. 34-2008 00000504.
- j) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Downtown Plaza, LLC v. City of Sacramento, et al., Sacramento County Superior Court Case No. 34-2008 00000721.
- k) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. 718 K Street LLC v. City of Sacramento and Redevelopment Agency of the City of Sacramento, Sacramento County Superior Court Case No. 07AS00636.

Recess to Commission - 4:35 p.m.

Reconvene - 7:00 p.m.

Roll Call: Regular meeting of the Sacramento City Council was called to order by Vice Mayor C... 7:08 p.m. on Tuesday, January 22, 2008 at the Sacramento City Hall Council Chamber. Mayor Fargo absent.

Pledge of Allegiance – led by Councilmember Sheedy

Closed Session Report – None.

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 §54953 (3) (B)).

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

Public Hearing (Item 16)

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

16. Greenbriar (M05-046 / P05-069) (Noticed on 1-10-08, passed for publication on 1-15-08, published on 1-18-08)

Location: South of Elkhorn Boulevard, north of Interstate 5, west of Highway 99, and east of Sacramento Airpark (County) / Adjacent to Council District 1

Recommendation: Conduct a public hearing and upon conclusion 1) adopt a) a **Resolution** certifying the Environmental Impact Report and adopting the Mitigation Monitoring Program; b) a **Resolution** amending Resolution No. 2001-518; c) a **Resolution** approving the Reorganization; d) a **Resolution** approving the Tax Exchange Agreement; e) a **Resolution** approving the Greenbriar Finance Plan; f) a **Resolution** approving the Inclusionary Housing Plan; g) a **Resolution** amending the General Plan Map; h) an **Ordinance** approving the Prezone; i) a **Resolution** establishing the Greenbriar Planned Unit Development (PUD); and 2) continue the public hearing on the Airport Land Use Commission (ALUC) Override to January 29, 2009.

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

Action: Public comment given by Greg Crew, Matthew Mahood, Lori Soldano, Steve Egge. Those who spoke in opposition were Richard Seyman, Robert Burness, Tim Carr, Jim Pacht, Judith Lamare, William Kopper, Jesus Arredondo, Mike Savino, Sean Eric Davis, Jeremy Drucker, Paula Lomazzi, Linn Hom, Barry Wasserman and attorney.

Motion: Seconded, carried (Tretheway/Hammond; Absent – Mayor Fargo) an intent motion to approve all recommended resolutions except the property tax exchange agreement resolution and the airport land use commission resolution, and to continue the public hearing to January 29, 2009. All resolutions recommended for adoption by staff including the property tax exchange agreement and the airport land use commission resolution, will continue to January 29, 2008 for final approval.

Public Comment **Matters Not on the Agenda** – None.

Council Comments **Public Comments, Ideas, Questions and Meeting/Conference Reports**

- a. B Commission Appointments – None.
- b. R Public Comments – None.
- c. M Meeting/Conference Reports – None

Adjournment 10:00 p.m. in memory of Elinor Hickey

This is to certify that the foregoing is a true and correct copy of the minutes of the January 22, 2008 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk