



REPORT TO COUNCIL

City of Sacramento

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

CONSENT
March 18, 2008

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

Title: Approval of Council Minutes

Location/Council District: (Citywide)

Recommendation:

Approve the afternoon and evening City Council, Redevelopment Agency, Housing Authority and Financing Authority for February 26, 2008.

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

Presenters: None

Department: City Clerk

Division: None

Organization No: 0700

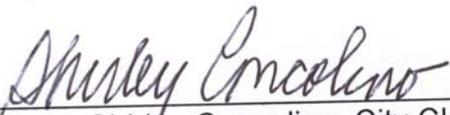
Financial Considerations: None.

Environmental Considerations: None.

Policy Considerations: None.

ESBD Considerations: Not Applicable.

Respectfully Submitted by:



Shirley Concolino, City Clerk

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Minutes for February 26, 2008

MINUTES

Tuesday, February 26, 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 2:08 on Tuesday, February 26, 2008 at the Sacramento City Hall Council Chamber. All members present

Special Presentations/General Communications

a. Sister City Annual Report

Action: Presented by Starr Hurley

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/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 February 5, 2008 Location: (Citywide)

Recommendation: Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for February 5, 2008.

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

Action: Approved recommendation

2. Confirmation of Board and Commission Appointments Location: (Citywide)

Recommendation: Confirmation of board/commission appointments to the Stockton Blvd. Redevelopment Advisory Committee – Kathleen Angelo (Category A); Geanine Hodges (Category C); Benjamin Alvarez (Category C); Elgin Bradley (Category E) and Elaine Abelaye (Category F).

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. **(City Resolution/Redevelopment Agency) Del Paso Boulevard Streetscape Improvement Project – Arden Way to Acoma Street**

Location: Del Paso Boulevard (District 2)

Recommendation: Adopt a 1) **City Resolution** a) making findings in order for the Redevelopment Agency to fund public facilities; b) allocating \$100,000 of North Sacramento bond funds to execute an IPA with the Redevelopment Agency; and c) amending the FY0 6/07 budget of the City's Department of Transportation by appropriating \$100,000 to the project; 2) a **Redevelopment Agency Resolution** a) approving an allocation of \$100,000 to begin design and preliminary engineering of the Del Paso Boulevard Streetscape Improvement project; and b) authorizing the Executive Director to make the related budget amendment.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1316, Chris Pahule, Assistant, (916) 440-1350, Sacramento Housing and Redevelopment Agency.

Action: Moved, seconded, carried (Waters/Fong; Recused – Fargo) to adopt City Resolution No. 2008-101 and Redevelopment Agency Resolution No 2008-006.

4. **(Redevelopment Agency) Construction of Soccer Facility**

Location: 3100 47th Avenue, Franklin Boulevard Redevelopment Area (District 5)

Recommendation: Adopt a **Redevelopment Agency Resolution** authorizing the Interim Executive Director to 1) approve and adopt the environmental Negative Declaration; 2) amend the Sacramento Housing and Redevelopment Agency budget to allocate \$1,100,000 of Franklin Boulevard Tax Increment to the project; and 3) execute an Owner Participation Agreement, loan agreements and related documents with Soccer Planet, Inc., for the construction of the facility.

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

Action: Continued.

5. **(Redevelopment Agency) Improvements at Depot Park**

Location: Depot Park, 16 Business Park Way (Buildings 1,2,7 and 8) (District 6)

Recommendation: Adopt a **Redevelopment Agency Resolution** authorizing the Interim Executive Director or her designee to 1) execute an Owner Participating Agreement between the Redevelopment Agency and U.S. National Leasing, LLC, for financing in the amount of \$454,200 to remove asbestos and replace deteriorated windows in four older industrial warehouse buildings at Depot Park; and 2) amending the Agency budget to allocated \$424,200 in Army Depot Tax Increment funds to the project.

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

Action: Adopted Redevelopment Agency Resolution No. 2008-007.

6. **(City Resolution/Redevelopment Agency) River District Specific Plan Funding Project**

Location: (District 1)

Recommendation: Adopt a 1) **Redevelopment Agency Resolution** a) amending the Richards Boulevard Redevelopment Project budget in the amount of \$200,000 to pay for consultant contracts for the project, and b) authorizing the Executive Director to increase the Richards Boulevard Individual Project Agreement (IPA) in the amount of \$200,000; and 2) **City Resolution** a) authorizing the City Manager to increase the Richards Boulevard Individual Project Agreement in the amount of \$200,000, and b) authorizing the City to increase the revenue and expense budget of the Richards Boulevard Capitol Improvement Project #B18216500 by \$200,000 for the project.

Contact: Rachel Hazlewood, Senior Project Manager, (916) 808-8645; Nicole York-Johnson, Administrative Officer, (916) 808-8646, Economic Development Department.

Action: Adopted Redevelopment Agency Resolution No. 2008-008 and City Resolution No. 2008-102.

7. **Agreements: Old Sacramento Organizational Improvements**

Location: Old Sacramento Historic District (District 1)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute an agreement with the Old Sacramento Business Association and the Downtown Sacramento Partnership to administer the Old Sacramento Business Improvement Area activities identified in section 3.96.030 of the Sacramento City Code and other Old Sacramento marketing and promotion activities; and 2) authorizing the City Manager to execute an agreement with the Historic Old Sacramento Foundation for the delivery of Old Sacramento historical and educational programs.

Contact: Barbara E. Bonebrake, Director, (916) 808-7733, Convention, Culture, and Leisure Department.

Action: Adopted Resolution No. 2008-103

8. **(Pass for Publication) Oak Park Historic District Amendment: Nomination of 3333 3rd Avenue, 3414 4th Avenue, and 3623 4th Avenue to the Sacramento Register as Contributing Resources (M07-083)**

Location: Oak Park Historic District (District 5)

Recommendation: 1) Review an Ordinance designating and adding three structures at 3333 3rd Avenue, 3414 4th Avenue and 3623 4th Avenue as Contributing Resources to the Oak Park Downtown Historic District in the Sacramento Register of Historic and Cultural Resources (Sacramento Register); and 2) pass for publication the Ordinance title as required by City Charter 32c to be adopted March 4, 2008.

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

Action: Approved recommendation

9. **Recovery of Attorney's Fees and Costs for Delinquent Debt Collection** (Passed for publication on 2-19-08, published on 2-22-08)
Location: (Citywide)

Recommendation: Adopt an **Ordinance** amending section 1.28.040 of the Sacramento City Code relating to Recovery of Attorney's Fees and Costs for Delinquent Debt Collection.

Contact: Brad Wasson, Revenue Manager, (916) 808-5724, Finance Department.

Action: Adopted Ordinance No. 2008-007.

10. **Contract: Design-Assist for Valley Hi - North Laguna Library and Cotton Lane (QA36, B13000800)**

Location: Corner of Bruceville Road and Cotton Lane (District 8)

Recommendation: Adopt a **Resolution** authorizing the City Manager to award and execute a design-assist construction contract with Sundt Construction Company for the guaranteed maximum price (GMP) of \$10,043,212 for the project.

Contact: Jeff Blanton, Associate Architect (916) 808-8423; Cynthia Kranc, Facilities and Real Property Manager, (916) 808-2258, General Services Department.

Action: Adopted Resolution No. 2008-104

11. **Supplemental Agreement: Purchase of Additional 7i EAM Software Licenses**
Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute Supplemental Agreement No. 5 to City Agreement No. 2004-0144 with Infor Global Solutions, Inc. (Formerly DataStream Systems, Inc.), for one year of maintenance and technical support services for a total amount not to exceed \$98,000.

Contact: Joe Benassini, Urban Forest Services Manager, (916) 808-6258, Transportation Department; Jim Boyle, Supervising IT Project Manager, (916) 808-5005, Stephen R. Ferguson, Chief Information Officer, (916) 808-8600, Information Technology Department.

Action: Adopted Resolution No. 2008-105

12. **Contract: Unarmed Security Guard Services** (Continued from 2-19-08)
(To Be Delivered)
Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) pursuant to Sacramento City Code § 3.56.160, waiving a minor irregularity in bids for IFB No. B081181035 in that two bids that were timely submitted were opened after the official bid opening date; 2) awarding a one-year contract with up to four one-year renewal options for the purchase of unarmed security guard services to National Security Services, Inc. in a total amount not to exceed \$11,402,155; 3) authorizing the City Manager or the City Manager's designee to execute the contracts and renewal options specified above provided that

sufficient funds are available in the budget for the applicable fiscal year(s) of the departments utilizing the service; and 4) extending contract No. 2007-135 with the current contractor, Securitas Security Services USA, Inc. for a period not to exceed 30 days and in an amount not to exceed \$199,098.

Contact: Sonny Eboigbe, Procurement Analyst, (916) 808-7432, Christopher Stewart, Procurement Services Manager, (916) 808-6202, General Services Department.

Action: Removed from Consent for discussion. Public comment given by Rob Voscer, Dave Hancock, Lakshri Kashyap, Michael Gerami and Samuel Maselli. Moved, seconded, carried (Hammond/Waters; Abstain - Sheedy) to adopt Resolution No. 2008-106 as amended.

13. Contract: North Natomas Regional Park Phase 2 (LX66, L19140000)

Location: North Park Drive (District 1)

Recommendation: Adopt a **Resolution** authorizing the City Manager to award and execute the contract with Hemington Landscape for an amount not to exceed \$1,087,592 for the project.

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

Action: Adopted Resolution No. 2008-107.

14. Contract: Westlake Community Park Phase 2 (LS78, L19175000)

Location: (District 1)

Recommendation: Adopt a **Resolution** 1) appropriating \$218,779 of Park Development Impact Fees, Fund 791 (Fund 3204) to LS78 (L19175000); 2) approving the contract specifications; and, 3) authorizing the City Manager to award and execute the contract with PBM Construction for an amount not to exceed \$779,779 for the project.

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

Action: Adopted Resolution No. 2008-108.

15. Sacramento Employment and Training Agency (SETA): Application and Acceptance of Funding

Location: (District 2)

Recommendation: Adopt a **Resolution** authorizing SETA to apply for funding, accept funding from the California Department of Transportation, The State of California Department of Corrections and Rehabilitation, and The U.S. Department of Justice in an amount expected to exceed \$100,000.

Contact: Christine Welsch, Workforce Development Manager, (916) 263-3866, Sacramento Employment and Training Agency.

Action: Adopted Resolution No. 2008-109.

16. Agreement: 1600 H Street Lofts

Location: 16th & H Streets (District 3)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute a parking agreement with Pico Ranch, Incorporated, for 27 monthly parking permits at Memorial Garage, located at 15th & H Streets, at a rate of 120% of the prevailing market rate for an initial term of 30 years with one 5-year extended term option.

Contact: Howard Chan, Parking Services Manager, (916) 808-7488, Transportation Department.

Action: Adopted Resolution No. 2008-110.

17. Agreement: West El Camino Bridge Replacement Project (PN: TZ71, T15038200)

Location: West El Camino Avenue Bridge over Natomas East Main Drain Canal.
(Districts 1 and 2)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute a Construction Management Services Agreement with TRC for an amount not to exceed \$549,943 for the project.

Contact: Ricky Chuck, Senior Civil Engineer, (916) 808-5050; Jon Blank, Supervising Engineer, (916) 808-7914, Transportation Department.

Action: Adopted Resolution No. 2008-111.

18. Contract: Florin Road Median Landscaping Project (Phase 2) – Freeport Boulevard to 21st Street (PN: RJ27, T15015401)

Location: Florin Road between Freeport Boulevard and 21st Street (Districts 5 and 8)

Recommendation: Adopt a **Resolution** 1) approving plans and specifications; and 2) awarding the contract to Central Pacific Construction in an amount not to exceed \$291,967.

Contact: Famarz Ansari, Associate Civil Engineer, (916) 808-1166; Jon Blank, Supervising Engineer, (916) 808-7914, Transportation Department.

Action: Continued to March 4, 2008.

Public Hearings (Item 19)

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

19. (Redevelopment Agency) Del Paso Heights 2003-2007 Implementation Plan Amendment (Noticed on 2-1-08)

Location: Del Paso Heights Redevelopment Project Area (District 2)

Recommendation: Conduct a public hearing and upon conclusion adopt a **Redevelopment Agency Resolution** amending the Del Paso Heights 2003-2007 Implementation Plan expiration date from December 31, 2007 to June 16, 2008.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1316, Chris Pahule, Assistant Director, Housing and Community Development Department, (916) 440-1350, Sacramento Housing and Redevelopment Agency.

Action: No public comment. Moved, seconded, carried (Sheedy/Cohn) to close the public hearing and adopt Redevelopment Agency Resolution No. 2008-009.

Staff Reports (Items 20-24)

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

20. Proposed Updates to the City of Sacramento Facility Naming Policy and Procedures

Location: (Citywide)

Recommendation: Adopt a **Resolution** approving the proposed updates to the City Facility Naming Policy and Procedures which applies to city-owned facilities.

Contact: Patti Bisharat, Director of Governmental Affairs, (916) 808-8197, Office of the City Manager.

Action: No public comment. Moved, seconded, carried (Tretheway/Hammond; Sheedy-Absent) to adopt Resolution No. 2008-112.

21. Recommended Naming of Robert T. Matsui Waterfront Park and Robert T. Matsui Gallery

Location: (District 1)

Recommendation: Adopt a **Resolution** 1) approving the formal naming of Jibboom Street Park and the Sacramento River Intake Facility to the "Robert T. Matsui Waterfront Park" and 2) approving the formal naming of the art gallery in City Hall to the "Robert T. Matsui Gallery".

Contact: Patti Bisharat, Director of Governmental Affairs, (916) 808-8197, Office of the City Manager

Action: Public comment given by Jeff Raimundo, Tina Thomas and Christine Umeda. Moved, seconded, carried (Fong/Sheedy) to adopt Resolution No. 2008-113 as amended.

22. Sacramento Employment & Economic Development (SEED) Corporation Initial Working Capital (Continued from 2-19-08)

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the 1) establishment of a new interest-bearing fund on behalf of the SEED Corporation; 2) amendment of the City's FY2007/08 Capital Improvement Program (CIP) budget to reallocate \$400,000 in general funds, from the City's emergency generator project (FB32), to provide initial working capital to the SEED Corporation; and 3) appropriation of such \$400,000 into the new fund.

Contact: Tom Zeidner, Sr. Project Manager, (916) 808-1931, Economic Development Department.

Action: No public comment. Moved, seconded, carried (Tretheway/Waters) to adopt Resolution No. 2008-114.

23. **Food Vending Vehicle Ordinance Revision** (Passed for publication on 2-19-08, published on 2-22-08)

Location: (Citywide)

Recommendation: Adopt an **Ordinance** amending Chapter 5.68 of the Sacramento City Code relating to food vending vehicles and section 5.88.030 of the Sacramento City Code relating to street and sidewalk sales.

Contact: Dafna Gauthier, Business Permit Manager, (916) 808-7800, Finance Department.

Action: Public comment given by Linda Roberts, George Azar, David Beguf and Olga Cid. Moved, seconded, carried (Sheedy/Hammond; Absent (recused) - Fong) to adopt Ordinance No. 2008-008.

24. **Amendments to City Code Chapter 15.36 Relating to Fire Code** (Passed for publication on 2-19-08, published on 2-22-08)

Location: Citywide

Recommendation: Adopt an **Ordinance** by reference Title 24, Part 9 of the California Code of Regulations and the 2006 edition of the International Fire Code with local amendments, into Chapter 15.36 of the Sacramento City Code.

Contact: Troy Malaspino, Assistant Chief, (916) 808-1620, Fire Department.

Action: No public comment. Moved, seconded, carried (Cohn/Hammond) to adopt Ordinance No. 2008-009.

Public Comments-Matters Not on the Agenda

- a. Paul Petrovich – Curtis Park update

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments
1. Stockton Boulevard Redevelopment Advisory Committee
 - a. John Cranshaw (Category E – business owner)
 - b. David Lathrop (Category D – residential owner)
 2. Army Depot Redevelopment Advisory Committee
 - a. Jeff Coburn (Category C)
 - b. Diana Portillo (Category B-4)
- 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: California Department of Toxic Substances Control v. Brighton Oil, et al., United States District Court for the Eastern District of California, Case No. CIV S-02-0018 GEB JFM GGH.

Action: Withdrawn by City Attorney

Recess - 4:50 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 6:08 on Tuesday, February 26, 2008 at the Sacramento City Hall Council Chamber. All members present

Pledge of Allegiance – led by child recipients of the SAGE Awards

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 §54957.1 (a) (3) (B)).

Special Presentations/General Communications

a. Certificates of Achievement: U.S. North West Regional SAGE Award Recipients

Action: Recognition given to top 3 award recipients Ashlyn Gardner, Cassandra Boyer, and Sigorney Stockton and other Kindergarten students from the SMUD Childcare Center involved in the Set a Good Example Foundation's "Safeguard and Improve the Environment" program.

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

Public Hearings (Items 25 and 26)

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

25. **El Camino Walgreens (P07-116)** (Noticed on 2-15-08, passed for publication on 2-19-08, published on 2-22, 08)

Location: 830 El Camino Avenue (District 2)

Recommendation: Conduct a public hearing and upon conclusion 1) adopt a **Resolution** approving the environmental exemption under California Environmental Quality Act (CEQA) Guidelines Section 15332 (Infill Developments); 2) adopt an **Ordinance** approving a rezoning from Standard Single-Family (R-1) to General Commercial (C-2); and 3) adopt a **Resolution** approving a Special Permit and Variances for the project.

Contact: Steven Kerr, Junior Planner, (916) 808-5416; Stacia Cosgrove, Senior Planner, (916) 808-7110, Development Services Department.

Action: No public comment. Moved, seconded, carried (Sheedy/Waters) to close the public hearing and adopt Resolution Nos. 2008-115, 2008-116 and Ordinance No. 2008-010.

26. **Residential Rental Housing Inspection Program** (Noticed on 2-12-08, passed for publication on 2-19-08, published on 2-22-08)

Location: (Citywide)

Recommendation: Continue to March 4, 2008.

Contact: Max Fernandez, Director of Code Enforcement, (916) 808-7940, Randy Stratton, Code Enforcement Manager, (916) 808-6497, Code Enforcement Department.

Action: Moved, seconded, carried (Pannell/Fong) to continue to March 4, 2008.

Staff Reports (Item 27)

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

27. **Approval of Waste to Energy (WTE) Project Concept (To Be Delivered)**

Location: Sacramento Region

Recommendation: Adopt a **Resolution** 1) approving the project concept, 2) granting U. S. Science & Technology (USST) a California "C" Corporation for a period of up to three (3) months exclusive right to negotiate a Principles of Agreement (POA) to develop an alternative resource or Waste to Energy project, and 3) negotiating with BLT Enterprises of Sacramento, Inc. (BLT Enterprises) principles of agreement upon which the City's contract with BLT Enterprises would be amended in order to accommodate the Waste to Energy project.

Contact: Michelle Heppner, Special Projects Manager (916) 808-1226, Edison Hicks, Integrated Waste General Manager, (916) 808-4949, Office of the City Manager.

Action: Public comment given by James Shetler, Bill Edgar, Emir Jose Macari, Tom Van Horner, Scott Smithline, Mykola Tochytskyl, Roman Romoso, Dan Heinrich, May Lee, William Haynes, Dave Tamayo and Les Shull. Moved, seconded, carried (Hammond/Sheedy; Absent (recused) Cohn) to adopt Resolution No. 2008-117 as amended.

Public Comments-Matters Not on the Agenda

- a. Richard Burnsed – invitation to International Film Festival
- b. Thomas Gould – landscape grunge Look

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments – None.
- b. Reports Back
 - 1. Fargo – Review of Parks and Rec appeals process and current tree ordinance
 - 2. Fargo – Law and Legislation committee to review and take a position on Prop 98 (eminent domain).
 - 3. McCarty – Request for Council to review and support SB1700 (Steinberg) dealing with underground natural gas storage tanks
 - 4. Cohn – Per Council Rules of Procedure Chapter 7, Section A1 – requested that a Blue Diamond Update be placed on an agenda in March to discuss a) compliance with City and S HRA to review current number of employees for agreement compliance, and b) their labor dispute issues
- c. Meeting/Conference Reports – None

Adjournment – 9:10 p.m. in memory of Paul Radford and Harry Martin

This is to certify that the foregoing is a true and correct copy of the minutes of the February 26, 2008 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk