REPORT TO COUNCIL
City of Sacramento

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

CONSENT
April 15, 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 March 25, 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

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Minutes for March 25, 2008

MINUTES

Tuesday, March 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 2:10 on Tuesday, March 25, 2008 at the Sacramento City Hall Council Chamber. All members present except Member Pannell (arrived at 4:10 pm).

Special Presentations/General Communications

a. **Recognizing March 24-30, 2008 as "National Community Development Week"**

Action: Presentation made by La Shelle Dozier, Interim Director, Sacramento Housing and Redevelopment Agency (SHRA).

b. **Special Presentation and Council Invitation to the Old City Cemetery Annual Spring Event – April 12, 2008**

Action: Presentation made by Anita Clevenger, Maintenance & Operations Coordinator and Master Gardener at the Old City Cemetery.

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

Consent Calendar (Items 1 – 24)

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; Absent Pannell, Hammond) to adopt the Consent Calendar in one motion except as indicated. Motion to Reconsider: Moved, seconded, carried (Waters/Fong; Absent Pannell). Moved, seconded, carried (Waters/Fong; Absent-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 March 4, 2008**
Location: (Citywide)

Recommendation: Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for March 4, 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) Preservation Commission to open 03/26/08 with applications due 04/25/08; 2) North Sacramento Redevelopment Advisory Committee to open 03/26/08 with applications due 04/25/08 and 3) Sacramento Army Depot Redevelopment Advisory Committee to open 03/26/08 with applications due 04/25/08.

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 Appointments to Authorities, Agencies and Committees**
Location: (Citywide)

Recommendation: 1) Confirm appointments of Councilmembers to the Authorities, Agencies and Committees as introduced on March 11, 2008; and 2) adopt a Resolution confirming the appointment of members to the Regional County Sanitation as required by SB1663.

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

Action: Approved recommendation and adopted Resolution No. 2008-177.

4. **(Redevelopment Agency) Oak Park Exterior Rebate Program Expansion**
Location: Oak Park Redevelopment Project Area (District 5)

Recommendation: Adopt a **Redevelopment Agency Resolution** authorizing the Interim Executive Director or her designee to 1) amend the 2008 Sacramento Housing and Redevelopment Agency budget to allocate $600,000 of Oak Park Tax Increment Funds to the Oak Park Exterior Rebate Program; and 2) amend the Commercial Revitalization Program's Exterior Rebate Guidelines to increase the maximum rebate amount for properties located within Oak Park Historic District from $75,000 to $200,000 per parcel.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1316; Chris Pahule, Assistant Director, Housing and Community Development, (916) 440-1350; Christine Weichert, Assistant Director, Housing and Community Development, (916) 440-1353, Sacramento Housing and Redevelopment Agency.

Action: Adopted Redevelopment Agency Resolution No. 2008-016.

5. **(Redevelopment Agency) Docks Area Phase I Project**
Location: Along the eastern bank of the Sacramento River, north of the Marina/Miller Park, west of Interstate 5 and south of Capitol Mall (District 4)

Recommendation: Adopt a **Redevelopment Agency Resolution** 1) extending the term of the Agreement for the Exclusive Right to Negotiate (ERN) with KSWM Docks Partners, LLC (Developer) by 300 days to December 31, 2008; and 2) approving the Revised Term Sheet and Revised Performance Schedule for Phase I of the project.

Contact: Beth Tincher, Senior Economic Development Project Manager, (916) 808-7730; Leslie Fritzsche, Downtown Development Manager, (916) 808-5450, Economic Development Department.

Action: Adopted Redevelopment Agency Resolution No. 2008-017.

6. **Small Business Enterprise Program (SBEP) Annual Status Report – Sacramento Housing and Redevelopment Agency**
Location: (Citywide)

Recommendation: Receive and file.

Contact: Mary Lyon, Assistant Director, Real Estate and Construction Services, (916) 440-1399 x 1241, Sacramento Housing and Redevelopment Agency.

Action: Received and filed.

7. **City of Festivals Special Event Support Program**
Location: (Districts 1 and 3)

Recommendation: Adopt a **Resolution** 1) approving the City of Festivals Special Event Support Program and Grant Program Guidelines ("Guidelines"); and 2) authorizing the City Manager, or his designee(s) to award Special Event Support Grants consistent with the Guidelines in amounts not to exceed $100,000 per grant.

Contact: Rebecca Bitter, Program Manager, (916) 808-5047, Convention Culture and Leisure Department.

Action: Removed by Councilmember Sheedy. Moved, seconded, carried (Fong/Cohn; Absent-Pannell,) to adopt Resolution No. 2008-170.

8. **Agreements: Crocker Art Museum Expansion and Renovation Project (CF60)**
Location: 216 O Street (District 1) (Continued from 3-18-08)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager or the City Manager's designee to execute an assignment of the Crocker Art Museum Association (CAMA) professional services agreement with Gwathmey, Siegel & Associates; 2) authorizing payment to Gwathmey, Siegel & Associates for construction phase services performed prior to this assignment, in the amount of $44,148; and 3) authorizing the City Manager or the City Manager's designee to execute a Professional Services Agreement with Shaw Environmental in an amount not to exceed $194,030 for toxic remediation services for the project.

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

Action: Adopted Resolution No. 2008-171.

9. **Change Order: Securement Services**
Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute Change Order No. 2 to Contract No. 2006-041, with Capitol Reconstruction Company, Incorporated; 2) increasing the contract amount for FY 2007/2008 from $100,000 to $310,503 for a total contract amount not to exceed $567,858; and 3) authorizing the Code Enforcement Department, Housing and Dangerous Buildings Division, to pay outstanding invoices of Capitol Reconstruction Company, Incorporated in the amount of $150,503.

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

Action: Adopted Resolution No. 2008-172.

10. **Residential Rental Housing Inspection Program**
Location: (Citywide)

Recommendation: Adopt a **Resolution** approving a $284,920 adjustment to the FY07/08 approved budget for 10.5 full time equivalent (FTE) staff to begin implementation of the program.

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

Action: Adopted Resolution No. 2008-173.

11. **Ordinance: Amending Housing Code Advisory and Appeals Board** (Passed for publication on 3-18-08, published on 3-21-08)
Location: (Citywide)

Recommendation: Adopt an **Ordinance** amending section 8.100.120 of Title 8 of the Sacramento City Code relating to the Housing Code Advisory and Appeals Board.

Contact: Max Fernandez, Director of Code Enforcement, (916) 808-7940; Ron O'Connor, Code Enforcement Manager, (916) 808-8183, Code Enforcement Department.

Action: Adopted Ordinance No. 2008-013.

12. **K Street Streetscape Improvements Project (KD 71)**
Location: K Street, 7th to 12th Streets (District 1)

Recommendation: Adopt a **Resolution** approving a final design plan for project, between 7th and 12th streets and St. Rose of Lima Park.

Contact: Melissa Anguiano, Economic Development Project Manager, (916) 808-5864; Leslie Fritzsche, Downtown Development Manager, (916) 808-5450, Economic Development Department.

Action: Adopted Resolution No. 2008-174.

13. **Purchase/Cooperative Agreements: Parts, Services and Fuel for Fleet Equipment**
Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) approving the use of County of Sacramento contracts to purchase a) fuel, and various fleet related parts, services, and chemicals from Amrep, Inc. in an amount not to exceed $410,000; b) Fleet Pride in an amount not to exceed $212,000; c) Pape Machinery in an amount not to exceed $800,000; d) Lehr Auto Electric in an amount not to exceed $222,000; e) Napa Auto Parts in an amount not to exceed $200,000; f) Hunt & Sons in an amount not to exceed $13.5 million; and g) Morgan Tires in an amount not to exceed $1 million; 2) authorizing purchases through each contract's expiration date or June 30, 2008, whichever comes first; and 3) ratifying prior purchases with the vendors identified above in a combined amount of $3,221,983.

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

Action: Adopted Resolution No. 2008-175.

14. **Contract: Oak Park Community Center - Phase II Project (KB29, L13000100)**
Location: 3429 Martin Luther King, Jr. Boulevard (District 5)

Recommendation: Adopt a **Resolution** 1) approving the construction plans and specifications; 2) authorizing the City Manager to award and execute the contract to John F. Otto in an amount not to exceed $2,444,222 for the construction of the project.

Contact: Suzy Vose, Construction Manager, (916) 808-5640; Yadi Kavakebi, Facilities Superintendent, (916) 808-8432; Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

Action: Adopted Resolution No. 2008-176.

15. **Contract: North Natomas Library Project (QA33, B13000700)**
Location: Southwest Corner of Del Paso and Library Street (District 1)

Recommendation: Adopt a **Resolution** 1) approving the construction plans and specifications; 2) authorizing the City Manager to award and execute the contract to McCarthy Construction, in an amount not to exceed $6,998,000 for the construction of the project.

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

Action: Continued to April 10, 2008.

16. **Reimbursement/Credit Agreement: Airfield Park Project** (LW48, L19102000)
Location: Airport Road & Arena Boulevard (District 1)

Recommendation: Adopt a **Resolution** 1) releasing the Irrevocable Standby Letter of Credit (No. SM226890W) for project in the amount of $2,168,061; and 2) returning the cash deposit of $394,659 to Beazer Homes less any administrative fees and costs incurred by the City associated with the project.

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

Action: Adopted Resolution No. 2008-178.

17. **Agreements: Phoenix Park Recreation Programs**
Location: Phoenix Park (District 8)

Recommendation: Adopt a **Resolution** authorizing the City Manager to 1) execute a Memorandum of Understanding (MOU) with the Sacramento Housing and Redevelopment Agency (SHRA) by which the City will provide staffing, services and supplies for recreational programs at Phoenix Park in return for reimbursement in an amount not to exceed $450,000 through June 30, 2011, 2) adjust related revenue and expenditure budgets for the reimbursed funds, and 3) execute amendments to the MOU for a cumulative total amount not to exceed 10% of the original approved amount of the MOU or $45,000, whichever is less.

Contact: Dave Mitchell, Recreation Manager, 808-6076; Laura Bjornsen, Recreation Superintendent, 808-7753; Jonathan Rewers, Program Analyst, 808-7590, Parks and Recreation Department.

Action: Adopted Resolution No. 2008-179.

18. **Release of Residual Interest Earnings from Bond Proceeds – Cucamonga Avenue**
Location: Granite Regional Park (District 6)

Recommendation: Adopt a **Resolution** authorizing the release of $18,268 in residual interest earnings as compensation for the work on Cucamonga Avenue and authorizing related financial transactions.

Contact: Brian Wong, Program Specialist, (916) 808-5778; Mark Griffin, Manager, (916) 808-8788, Planning Department.

Action: Adopted Resolution No. 2008-180.

19. **Release of Residual Interest Earnings from Bond Proceeds – College Square Communities Facilities District (CFD)2005-01**
Location: (District 8)

Recommendation: Adopt a **Resolution** authorizing the release of $19,592 in residual interest earnings as related to College Square CFD 2005-01.

Contact: Brian Wong, Program Specialist, (916) 808-5778; Mark Griffin, Manager, (916) 808-8788, Planning Department.

Action: Adopted Resolution No. 2008-181.

20. **Contract: 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** 1) approving plans and specifications; 2) appropriating Federal Capital Grant $5,754,449 (Fund 3703) to the project; and 3) awarding the construction contract with CC Myers, Inc. for an amount not to exceed $4,937,777.

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

Action: Adopted Resolution No. 2008-182.

21. **Agreement: Utility Bill Pay Station Services**
Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing 1) the City Manager to execute a non-professional services agreement with Check Processing Inc. for the collection and processing of utility bill payments from authorized pay station locations within the City for an amount not to exceed $201,000 through June 30, 2011, and 2) payment in the amount of $65,347.82 to Check Processing Inc. for services rendered after their prior contract expired.

Contact: Gary Reents, Director of Utilities, (916) 808-1433; Jamille Moens, Business Services Division Manager, (916) 808-5988, Utilities Department.

Action: Continued to April 1, 2008.

22. **Universal Waste Producer Responsibility**
Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) supporting state wide legislation for Extended Producer Responsibility (EPR) 2) directing staff to implement a procurement policy that promotes the use of less toxic products where feasible; and 3) authorizing the Mayor to sign a letter to the California League of Cities, the California State Association of Counties, and the California Integrated Waste Management Board to urge support for EPR legislation.

Contact: Edison Hicks, Integrated Waste General Manager, (916) 808-4949, Marty Strauss, Integrated Waste Planning Superintendent, (916) 808-4934, Utilities Department.

Action: Adopted Resolution No. 2008-184.

23. **Amendment to City-County Solid Waste Advisory Committee/Local Task Force (Chapter 2.100)** (Passed for publication on 3-4-08, published on 3-7-08)
Location: (Citywide)

Recommendation: Adopt an **Ordinance** amending Chapter 2.100 of the Sacramento City Code relating to the City-County Solid Waste Advisory Committee/Local Task Force.

Contact: Edison Hicks, Integrated Waste General Manager, (916) 808-4949, Marty Strauss, Integrated Waste Planning Superintendent, (916) 808-4934, Utilities Department.

Action: Adopted Ordinance No. 2008-014.

24. Agreements: Basin 31 Detention Basin Project, WK06 (W14000900)
Location: Near the intersection of 65th Street and Broadway, adjacent to Redding Avenue (District 6)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to sign agreements with Bryte Ranch Conservation Bank, Wetland Resources LLC, and Conservation Resources LLC, in a total amount of $570,810, to purchase vernal pool mitigation units for the project; 2) increasing the amount of the Workforce Housing Reward Program Grant assigned to the project budget by $200,000; and 3) recognizing the project budget of $575,000 in existence prior to the adoption of Resolution 2007-921, which along with the $200,000 increased allocation from the Workforce Housing Reward Program Grant makes the total authorized budget amount $4,875,000.

Contact: Gary A. Reents, Director of Utilities (916) 808-1433; David L. Brent, Engineering Manager (916) 808-1420; Andy Hunt, Supervising Engineer (916) 808-1408, Utilities Department.

Action: Adopted Resolution No. 2008-185.

Public Hearings (Items 25 and 26)

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

25. Sutter Business Improvement Area, and Related Actions (Noticed on 2-1-08, passed for publication on 3-11-08, published on 3-14-08)
Location: (District 3)

Recommendation: Conduct a Public Hearing and upon conclusion adopt 1) an **Ordinance** adding Chapter 3.106 to Title 3, relating to Revenue and Finance, and establishment of the Sutter Business Improvement Area and to levy an assessment on restaurant businesses within such area; and; 2) a **Resolution** a) appointing an advisory board to the area; and b) authorizing a new City fund to receive the business improvement area revenues.

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

Action: Public comment by Randy Paragary. Moved, seconded, carried (Cohn/Waters; Absent-Pannell) to close the public hearing and adopt Ordinance No. 2008-015 and Resolution No. 2008-186.

26. **(City Council/Housing Authority) Copperstone Village 1 Apartments Project**
Location: Southwest of the intersection Calvine Rd. and Highway 99 (District 8) (Noticed on 3-4-08)

Recommendation: Conduct a public hearing and upon conclusion, adopt 1) a **City Council Resolution** approving funding from the City Housing Trust Fund (HTF) of up to $985,000 and the City Home Investment Partnership (HOME) fund of up to $1,710,000 for a loan to Copperstone Village 1 Family Apartments project; 2) **a City Council Resolution** approving a grant of $158,000 from the City's Affordable Housing Fee Reduction Fund; 3) a **City Council Resolution** authorizing an application to the California Debt Limit Allocation Committee (CDLAC) for authority to issue the bonds; 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; b) authorizing the Interim Executive Director or designee to execute all necessary documents associated with the transaction; 4) adopt a **Housing Authority Resolution** indicating the willingness of the Housing Authority of the City of Sacramento to issue up to $11,000,000 in tax-exempt mortgage revenue bonds to provide construction and permanent financing for 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: No public comment. Moved, seconded, carried (Hammond/McCarty; Absent-Pannell) to close the public hearing and adopt City Council Resolution Nos. 2008-187, 2008-188 and 2008-189 and Housing Authority Resolution No. 2008-005.

Staff Reports (Item 27)

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

27. **(City Council/Financing Authority/Redevelopment Agency) Agreement: Sheraton Grand Hotel Parking Garage [To Be Delivered]**
Location: Intersection of 13th and J Streets (District 1)

Recommendation: Adopt 1) a **City Resolution** authorizing the City Manager a) to approve the sale of the garage at 13th and J Streets to CIM/J Street Hotel Sacramento, LLC (whose members are David S. Taylor Interests and The CIM Group) in connection with the sale by the Sacramento Hotel Corporation (the "Corporation") of the Sacramento Sheraton Grand Hotel and the defeasance by the Sacramento City Financing Authority (the "Authority") of revenue bonds issued to finance construction of the hotel (the "Bonds"); b) to execute documents needed to sell the garage; and c) to accept from the Corporation the net proceeds of the hotel sale and to allocate the sum of those proceeds and the net proceeds of the garage sale as follows: 50% to the Redevelopment Agency (the "Agency"), 25% to the City's Economic Reserve, and 25% to the Agency and the Parking Garage Fund for reinvestment into income-generating projects; 2) a **Financing Authority Resolution** authorizing the execution and delivery of an escrow agreement and other documents needed to defease the Bonds; and 3) a **Redevelopment Agency Resolution** a) amending the Agency's budget to receive funds from the City from the hotel sale and the garage sale; and b) authorizing the City Manager, as the Agency's designee, to enter into a Master Owner Participation Agreement with CIM/J Street Hotel Sacramento, LLC for redevelopment within the JKL Corridor.

Contact: Sheri Smith, Economic Development Project Manager, (916) 808-7204; Leslie Fritzsche, Downtown Economic Development Manager, (916) 808-5450, Economic Development Department, Janelle Gray, Public Finance Manager, (916) 808-8296, Finance Department.

Action: Public comment by Michael Ault. Staff clarified name reference in recommendation 1a from CIM/J Street Hotel Sacramento, LLC to CIM Urban REIT Acquisitions, LLC. Moved, seconded, carried (Tretheway/Cohn; Noes-McCarty) to adopt City Council Resolution No. 2008-190 as amended: removing Section O; adding language to Section 3; removing Section 5; clarifying the term "City's Reserve for Economic Uncertainty", Financing Authority Resolution No. 2008-001 as amended clarifying the term "City's Reserve for Economic Uncertainty" and Redevelopment Agency Resolution No. 2008-018.

Public Comments-Matters Not on the Agenda – None.

Council Comments-Ideas, Questions and Meeting/Conference Reports

a. Board/Commission Appointment - 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. 718 K Street LLC v. City of Sacramento and Redevelopment Agency of the City of Sacramento, Sacramento County Superior Court Case No. 07CS00811.**

d) **Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Mohanna v. City of Sacramento, Sacramento County Superior Court Case No. 07CS01436.**

e) **Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Mohanna v. Delta Oilfield Services, Inc., Sacramento County Superior Court Case No. 07AS02655.**

Redevelopment Agency of the City of Sacramento

f) **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.**

g) **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.**

h) **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.**

i) **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.**

j) **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.**

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. 07CS00811.**

l) **Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Redevelopment Agency of the City of Sacramento v. M.H. Mohanna, et al, Sacramento County Superior Court Case No. 34-2008-00003588.**

Recess to Closed Session – 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 6:10 p.m. on Tuesday, March 25, 2008 at the Sacramento City Hall Council Chamber. All members present.

Pledge of Allegiance – led by Member McCarty.

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)).

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

Public Hearings (Items 28 – 30)

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

28. **Sheldon Plaza (P07-098)** (Noticed on 3-14-08, passed for publication on 3-18-08, published on 3-21-08,)
Location: 7725 Sheldon Road (District 8)

Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** declaring the project exempt from environmental review; 2) a **Resolution** approving a General Plan Amendment to amend the General Plan land use designation from 1.49± net acres of Low Density Residential to Community/Neighborhood Commercial and Offices; 3) a **Resolution** approving a Community Plan Amendment to amend the South Sacramento Community Plan land use designation from 1.49± net acres of Low Density Residential to General Commercial; 4) a **Resolution** approving Plan Review to develop a 13,522 square foot commercial center; and 5) an **Ordinance** rezoning the subject site from 1.49± net acres of Standard Single-Family (R-1) zone to Limited Commercial Review (C-1R) zone.

Contact: Antonio Ablog, Associate Planner, (916) 808-7702; Mark Martin, Senior Planner, (916) 808-5945, Development Services Department.

Action: No public comment. Moved, seconded, carried (Pannell/Hammond) to close the public hearing and adopt Resolution Nos. 2008-191, 2008-192, 2008-193, 2008-194 and Ordinance No. 2008-016.

29. **Citywide Fees and Charges Update** (Noticed on 3-11-08 and 3-18-108)
Location: (Citywide)

Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** approving proposed new fees and fee increases.

Contact: Leyne Milstein, Budget Manager, (916) 808-8491; Jason Bader, Management Analyst, (916) 808-5817, Finance Department.

Action: Public comment by Josh Wood, Kevin Green, Craig Hausman, Ardie Zahedani. Moved, seconded, carried (Tretheway/Fong) to close the public hearing and adopt Resolution No. 2008-195 as amended: 1) removing Utilities-Water Fund for later discussion; 2) implementing no fee changes for Annexation and Condominium Conversions; 3) reducing Third Party Appeals to $500; 4) correcting the Residential Special Permit or Plan Review Minor Modification to $500; and 5) clarifying the fee for Special Permit Residential Infill Development is Zero (0).

30. **Weed and Rubbish Abatement Hearing** (Noticed on 3-17-08)
Location: (Citywide)

Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** authorizing the Fire Chief to proceed with the abatement of weeds and rubbish in the manner prescribed by Government Code Section (§) 39567 and §39567.1, and Chapter 8.28 of the Sacramento City Code.

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

Action: No public comment. Moved, seconded, carried (Hammond/McCarty) to close the public hearing and adopt Resolution No. 2008-196.

Staff Reports (Items 31 and 33)

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

31. (City Council/Redevelopment Agency) **Change Order: Phases I, II, III and IV of the George Sim Community Center Expansion Project (LT51, L13000200) and Allocation of Army Depot Redevelopment Funds**
Location: 6207 Logan Street (District 6), Army Depot Redevelopment Project Area

Recommendation: 1) Adopt a **City Resolution** a) amending the FY2007/08 Capital Improvement Program (CIP) budget by receiving $2,252,145 in 2006 Army Depot Tax Exempt Bond funds, $2,987,488 in 2006 Army Depot Taxable Bond funds and $5,006,367 in Army Depot Tax Increment funds for the project; b) authorizing the City Manager or the City Manager's designee to amend the existing Individual Project Agreement (IPA) with the Redevelopment Agency of the City of Sacramento and appropriate $10,246,000 for construction of the Project Phases I, II, III & IV; c) establishing the guaranteed maximum price (GMP) with Brown Construction for the project in an amount not to exceed $15,168,643; d) authorizing the City Manager or the City Manager's designee to execute Change Order No. 1 to CO2007-166 for an amount not to exceed $14,227,868 with Brown Construction; e) approving the Mitigated Negative Declaration and Mitigation Monitoring Plan for the Project; and f) making related findings; and 2) adopt **a Redevelopment Agency Resolution** a) amending the 2008 Redevelopment Agency budget to transfer $2,252,145 from 2006 Army Depot Tax Exempt Bond funds, $2,987,488 in 2006 Army Depot Taxable Bond funds and $5,006,367 in Army Depot Tax Increment funds to the George Sim Community Center Expansion Project; b) authorizing the Interim Executive Director to amend the existing Individual Project Agreement (IPA) with the City of Sacramento to increase the contract amount by $10,246,000 for construction of the George Sim Community Center Expansion Project Phases I, II, III and IV; and c) making related findings.

Contact: Dave Morgan, Associate Architect (916) 808-8425, Department of General Services, Dave Mitchell, Recreation Manager, (916) 808-6076, Parks and Recreation Department; Lisa Bates, Deputy Executive Director, (916) 440-1316; Chris Pahule, Assistant Director, Housing and Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency.

Action: Moved, seconded, carried (McCarty/Hammond) to adopt City Council Resolution No. 2008-197 and Redevelopment Agency Resolution No. 2008-019.

32. General Plan Draft Mobility Element and Circulation Maps
Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) accepting the circulation maps for the 2030 General Plan; 2) accepting the mobility policies for the 2030 General Plan; and 3) directing staff to proceed with the environmental review of the 2030 General Plan including these maps and policies.

Contact: Fedolia "Sparky" Harris, Senior Planner, (916) 808-2996, Transportation Department.

Action: Continued to a future date.

33. Modifications to the 2030 General Plan Goals and Land Use and Urban Form Map
Location: (Citywide)

Recommendation: Adopt a **Resolution** reaffirming acceptance of the 2030 General Plan Goals and Policies and Land Use and Urban Form Map, including minor modifications to be considered for analysis in the 2030 General Plan Environmental Impact Report.

Contact: Robert Cunningham, Assistant Planner, (916) 808-5894, Tom Pace, Long Range Planning Manager, (916) 808-6848, Planning Department.

Action: Continued to April1, 2008.

Public Comments-Matters Not on the Agenda

a. Security Officers and National Security Services
   1. Arooj Ahmad
   2. Charlene Patterson
   3. Lakshmi Kashyap

b. Financial Collapse
   1. Oyaug Teng
   2. Joelle Wright

c. Board and Commission Appointments
   1. Mike Barnbaum

d. Homme from Laos and Vietnam
   1. Charles McCormick

Council Comments-Ideas, Questions and Meeting/Conference Reports

a. Board/Commission Appointment
   1. 65th Street Redevelopment Advisory Committee (RAC)
      Christopher Little

b. Reports Back – None.

c. Meeting/Conference Reports – None

Adjourned -8:45 p.m. in memory of Charles Thorntone and Alfred Lester Urban.

This is to certify that the foregoing is a true and correct copy of the minutes of the March 25, 2008 meeting as approved by the Sacramento City Council.

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Shirley Concolino, City Clerk