



REPORT TO COUNCIL City of Sacramento

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

CONSENT
August 7, 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 July 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, City Clerk

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Minutes for July 15, 2008



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

Minutes

Tuesday, July 15, 2008

City Hall-915 I Street, 1st Floor Council Chamber

Published by the Office of the City Clerk (916) 808-7200

CITY COUNCIL

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

CHARTER OFFICERS

Eileen Teichert, City Attorney
Shirley Concolino, City Clerk
Ray Kerridge, City Manager
Russ Fehr, City Treasurer

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken (3 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the end of the meeting as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160).

Speaker slips are located in racks inside the chamber and should be completed and submitted to the City Clerk.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order of Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The Agenda provides a general description and staff recommendations; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City's website and include all attachments and exhibits. "To Be Delivered" and "Supplemental" reports will be published as they are received. Hard copies are available at the Office of the City Clerk and all written material received is available at the meeting for public review.

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

Live videostreams and indexed archives of meetings are available via the internet. Visit <http://www.cityofsacramento.org/clerk/council-agendas/>.

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MINUTES

Tuesday, July 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 2:12 p.m. Tuesday, July 15, 2008 at the Sacramento City Hall Council Chamber. Councilmember Waters absent.

Special Presentations/General Communications

a. Introduction of Mayor Park Seung-suk, Mayor of Jung-Gu District, Incheon Metropolitan City, Korea

Action: Mayor introduced and presented key to the City to Mayor Park Seung-suk.

b. Recognizing Eppie's Great Race 35 and Invitation to Council- July 19, 2008

Action: Resolution presented to Eppie Johnson.

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

Consent Calendar (Items 1 - 26)

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 (Pannell/McCarty; Absent-Waters) to adopt the Consent Calendar in one motion except as indicated.

1. (City Council/Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for June 10, 2008

Location: (Citywide)

Recommendation: Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for June 10, 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) Meadowview Development Committee to open 07/16/08 with applications due 07/25/08; 2) Sacramento Army Depot Redevelopment Advisory Committee to open 07/16/08 with applications due 08/15/08 and 3) Sacramento Youth Commission to open 07/16/08 with applications due 08/15/08.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093; Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.

Action: Approved recommendation.

3. Confirmation of Board and Commission Appointments

Location: (Citywide)

Recommendation: Confirmation of board/commission appointments: 1) Sacramento Youth Commission – Lily Hoang (Category A-6); 2) Transportation Programming Guide Community Advisory Committee – Ko-Ching Chang (Category A-1).

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093; Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.

Action: Approved recommendation.

4. Candidate Statement Regulations for the November 4, 2008 General Municipal Election

Location: (Citywide)

Recommendation: Adopt a **Resolution** establishing regulations for the preparation, cost and payment of candidate statements for the election to be held on Tuesday, November 4, 2008.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

Action: Adopted Resolution No. 2008-468.

5. June 3, 2008 Primary Election Results and Call for a General Election on November 4, 2008 for the Office of Mayor

Location: (Citywide and Districts 2, 4, 6 and 8)

Recommendation: Adopt a 1) **Resolution** accepting the results of the June 3, 2008 primary municipal election as certified by the County Registrar of Voters; and 2) **Resolution** calling to the general municipal election ballot of November 4, 2008 a contest among the top two mayoral candidates chosen at the primary Election.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

Action: Adopted Resolution Nos. 2008-469 as amended and 2008-470.

6. (City Council/Redevelopment Agency) Army Depot Redevelopment Area Transportation Initiatives

Location: Army Depot Redevelopment Project Area (District 6)

Recommendation: **Adopt 1) a City Resolution** a) establishing capital improvement projects (CIP) for 14th Avenue Master Plan (TP21, T15098000), Power Inn Road Widening Feasibility Study (TP31, T15098200) and the Elder Creek Road Feasibility Study and Project Scoping (TP26, T15098100); b) appropriating \$220,000 to the Lowell Street sidewalks, \$400,000 to the 14th Avenue Master Plan, \$250,000 for the Power Inn Road Widening Feasibility Study and \$100,000 to the Elder Creek Road Feasibility Study and Project Scoping; c) authorizing the City Manager to execute IPAs for 14th Avenue Master Plan, Power Inn Road Widening Feasibility Study and the Elder Creek Road Feasibility Study and Project Scoping and amend the Fruitridge Road Streetscape Project Phase II (TY46, T15036300) IPA to include the Lowell Street sidewalks; and d) making related findings; **2) a Redevelopment Agency Resolution** a) amending the 2008 Sacramento Housing and Redevelopment Agency (SHRA) budget by transferring \$780,000 of Army Depot Taxable Bond Funds and \$190,000 of Army Depot Transportation Planning Funds to Lowell Street sidewalks (\$220,000), 14th Avenue Master Plan (\$400,000), Power Inn Road Widening Feasibility Study (\$250,000), prepare the Elder Creek Road Feasibility Study and Project Scoping (\$100,000); b) authorizing the Interim Executive Director or her designee to execute Individual Project Agreements (IPAs) with the City of Sacramento in the amounts of \$400,000 for 14th Avenue Master Plan, \$250,000 for the Power Inn Road Widening Feasibility Study and \$100,000 for the Elder Creek Road Feasibility Study and Project Scoping and amend the Fruitridge Road Streetscape Project Phase II (TY46, T15036300) IPA to include the Lowell Street sidewalks; and c) making related findings.

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

Action: Adopted City Resolution No. 2008-471 and Redevelopment Agency Resolution No. 2008-048.

7. Building Equity and Growth in Neighborhoods (BEGIN) Program Application

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the Interim Executive Director of the Sacramento Housing and Redevelopment Agency (SHRA) or her designee to 1) submit applications to the California Department of Housing and Community Development (HCD) for funding under the Building Equity and Growth in Neighborhoods Program (BEGIN); 2) receive funding from HCD and administer the BEGIN Program; 3) execute Standard Agreements and all related documents necessary to participate in the BEGIN Program; 4) adopt local BEGIN Mortgage Assistance Underwriting Guidelines for administration of the program; and 5) amend Agency Budget as funds are awarded.

Contact: Mary L. Lyon, Assistant Director, Real Estate and Construction Services, (916) 440-1399 ext. 1241, Carla Christian, Program Manager, (916) 264-1524, Sacramento Housing and Redevelopment Agency.

Action: Adopted Resolution No. 2008-472.

8. **(Redevelopment Agency) Supplemental Agreement: Railyards Redevelopment Project**

Location: Railyards Redevelopment Project Area (District 1)

Recommendation: Adopt a **Redevelopment Agency Resolution** authorizing the Interim Executive Director or her designee to execute the first amendment to the existing contract with Stoel Rives, LLP from \$100,000 to \$200,000 for legal services related to the Railyards Redevelopment Project.

Contact: Dave Harzoff, Economic Development Manager, (916) 808-5385, Economic Development Department, Michael W. Voss, Agency Counsel, (916) 440-1330, Sacramento Housing and Redevelopment Agency.

Action: Adopted Redevelopment Agency Resolution No. 2008-049.

9. **(City Council/Redevelopment Agency) Dixieanne Avenue "Green Street" Project**

Location: Del Paso Boulevard, Sacramento (District 2)

Recommendation: Adopt: 1) a **City Resolution** making findings to allow the Redevelopment Agency to fund public facilities; and 2) a **Redevelopment Agency Resolution** a) approving an allocation of \$800,000 to construct an integrated storm water drainage infrastructure improvement project on Dixieanne Avenue in North Sacramento and b) authorizing the Interim Executive Director to make the related budget amendment.

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

Action: Adopted City Resolution No. 2008-473 and Redevelopment Agency Resolution No. 2008-050.

10. **(City Council/Redevelopment Agency) Old Sacramento Waterfront Park Public Restroom**

Location: Old Sacramento (District 1)

Recommendation: Adopt a 1) **Redevelopment Agency Resolution** a) authorizing the Executive Director or her designee to allocate \$100,000 of Merged Downtown Redevelopment tax increment funds; and b) executing an Individual Project Agreement (IPA) for implementation of the project on behalf of the City; and 2) **City Resolution** a) authorizing transfer of funds from Public Market Building Fund (Fund 2601) in the amount of \$30,000 to the Waterfront Restroom CIP (M17700000); b) authorizing the Redevelopment Agency to bid and award the contract for construction on behalf of the City; and c) authorizing the City Manager or his designee to enter into an IPA with the Redevelopment Agency to implement the project.

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

Action: Adopted Redevelopment Agency Resolution No. 2008-051 and City Resolution No. 2008-474.

Moved, seconded, carried (Sheedy/McCarty/ Absent – Waters) motion to reconsider vote. Moved, seconded, carried (McCarty/Fong; Absent – Waters; Noes – Sheedy) to adopt Redevelopment Agency Resolution No. 2008-051 and City Resolution No. 2008-474.

11. Sacramento Housing and Redevelopment Agency Comprehensive Annual Financial Report (CAFR) for the Year Ended December 31, 2007

Location: (Citywide)

Recommendation: Receive and file.

Contact: Donald Cavier, Director of Finance, (916) 440-1399 ext. 1220, Karen Lukes, Interim Finance Manager, (916) 440-1399 ext. 1403, Sacramento Housing and Redevelopment Agency.

Action: Received and filed.

12. (Pass for Publication) Kim Residential Subdivision (P05-019)

Location: 3940 14th Avenue (District 5)

Recommendation: Review 1) a Resolution declaring the project exempt from environmental review; 2) a Resolution approving the Kim Residential Subdivision Project; 3) an Ordinance rezoning the subject site from Standard Single-Family (R-1) to Single-Family Alternative (R-1-A); and 4) pass for publication the Ordinance title as required by the Sacramento City Charter 32c to be adopted July 22, 2008.

Contact: Antonio Ablog, Associate Planner, (916) 808-7702; Nedzlene Ferrario, Senior Planner, (916) 808-7826, Development Services Department.

Action: Approved recommendation.

13. Grant: Brownfield Revolving Loan Fund Program

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to accept the Brownfield Revolving Loan Fund grant from the U.S. Environmental Protection Agency to assist with the cleanup of contaminated sites within the City of Sacramento to prepare them for development, and 2) authorizing staff to establish a grant revenue and expenditure budget in the sum of \$959,893 to facilitate the implementation of the Brownfield Revolving Loan Fund Program.

Contact: Diana Sasser, Project Manager, (916) 808-5519, Economic Development Department.

Action: Adopted Resolution No. 2008-475.

14. Supplemental Agreement: Fulton Avenue Development Project (B18333000)

Location: 3701 Fulton Avenue (District 2)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute Supplement No. 4 to City Agreement 2006-0177 with Wood Rodgers for planning, engineering and surveying services in an amount not to exceed \$112,287 for a cumulative contract amount of \$723,147.

Contact: Dean Peckham, Economic Development Senior Project Manager, (916) 808-7063, James R. Rinehart, Economic Development Manager, (916) 808-5054, Economic Development Department.

Action: Adopted Resolution No. 2008-476 as amended.

15. Supplemental Agreement: Fulton Avenue Development Project (B18333000)

Location: 3701 Fulton Avenue (District 2)

Recommendation: Adopt a **Resolution** authorizing the City Manager or his designee to execute Supplemental No. 5 to City Agreement 2006-0606 with Baseline Environmental Consulting for an amount not to exceed \$99,757 for a total amount of \$551,149.

Contact: Dean Peckham, Economic Development Senior Project Manager, (916) 808-7063, James R. Rinehart, Economic Development Manager, (916) 808-5054, Economic Development Department.

Action: Adopted Resolution No. 2008-477.

16. Contract: Purchase of Utility and Flat Bed Truck Bodies

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) awarding Diamond Truck Body Manufacturing, Inc., the lowest responsive and responsible bidder, a one-year contract with two one-year renewal options for the purchase and installation of utility and flat bed truck bodies with accessories in an amount not to exceed \$675,460 for the three year period; and 2) authorizing the City Manager or the City Manager's designee to execute the contract and renewals specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department.

Action: Adopted Resolution No. 2008-478.

17. Supplemental Agreement: North Natomas Library (QA33, B13000700)

Location: Southwest corner of Del Paso Road and Library Street (District 1)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 4 to Agreement No. 2005-0446 with Nacht and Lewis Architects in an amount not to exceed \$57,417; and 2) restoring the City Manager's signature authority for this project.

Contact: Terry Grayson, Construction Manager, (916) 808-5879; Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

Action: Withdrawn by staff.

18. Railyards 5th Street Public Parking Garage (V15710000) [2/3 Vote Required]

Location: (District 1)

Recommendation: Adopt a **Resolution** 1) suspending competitive bidding in the best interests of the City; and 2) authorizing the Department of General Services to implement the design-build delivery approach for the project and issue a Request for Qualifications to complete the design and construction of the project.

Contact: Yadi Kavakebi, Supervising Architect, (916) 808-8432; Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

Action: Removed from consent calendar by Mayor Fargo. Moved, seconded, carried (Tretheway/Cohn; Absent – Waters) to adopt Resolution No. 2008-480.

19. Grant Agreement: Tot Lot at Valley Hi Community Park Project

Location: Valley Hi Community Park, 8185 Center Parkway (District 7)

Recommendation: Adopt a **Resolution** 1) accepting an Improve Nutrition Tot Lot grant from the First 5 Sacramento Commission in the amount of \$50,000 into CIP Reimbursable Fund 248/3702; 2) establishing a Capital Improvement Project (CIP) Valley Hi Park Improvements CIP LY74/L19171000 for the development of the project; 3) appropriating \$50,000 from CIP Reimbursable Fund 248 to CIP L19171000; and 4) authorizing the City Manager or designated appointee to execute all agreements, subject to approval by the City Attorney as to form, necessary to accept the grant when received.

Contact: Lori Harder, Parks and Recreation Services Support Manager, (916) 808-5172, Camille Wise, Resource Development Specialist, (916) 808-8830, Parks and Recreation Department.

Action: Adopted Resolution No. 2008-481.

20. FY2008/09 Ethel MacLeod Hart Trust Fund Projects

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) approving Ethel MacLeod Hart Trust Fund FY2008/09 projects for a) Senior Water Aerobics Program in the amount of \$23,620; and b) new chairs for the Sierra 2 Senior Center in the amount of \$874.

Contact: Sylvia Fort, Division Manager, (916) 808-8381; Rosanne Bernardy, Recreation Superintendent, (916) 808-1590, Parks and Recreation Department.

Action: Adopted Resolution No. 2008-482.

21. Agreement: Staffing and Management of Camp WAMP

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute an agreement and any amendments with WAMP Inc. for the City to provide staffing and camp management services for a wilderness camp experience during the summer of 2008.

Contact: Alan Tomiyama, Division Manager, (916) 808-8958; Susan Vieth, Superintendent, (916) 808-1575, Parks and Recreation Department.

Action: Adopted Resolution No. 2008-483.

22. Contract: South Watt Avenue / Fruitridge Road Traffic Signal and Intersection Improvements Project (TR91 / T15058800)

Location: Intersection of South Watt Avenue and Fruitridge Road (District 6)

Recommendation: Adopt a **Resolution** 1) approving plans and specifications for the project; and 2) awarding the contract to Teichert Construction to install a traffic signal, widen South Watt Avenue at Fruitridge Road, install new curb ramps, place a slurry seal, and restripe the intersection of the project in an amount of \$824,081.

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

Action: Adopted Resolution No. 2008-484.

23. Contract: Youngs Heights Street Lighting (SU12/T15073601)

Location: Youngs Heights Neighborhood (District 2)

Recommendation: Adopt a **Resolution** 1) approving plans and specifications for the project; and 2) awarding the construction contract to Moreno Trenching Limited to install City standard post-top streetlights in the Youngs Heights Neighborhood in the amount of \$179,070.

Contact: John Matoba, Associate Electrical Engineer, (916) 808-7891; Sompol Chatusripitak, Senior Electrical Engineer, (916) 808-5961, Transportation Department.

Action: Adopted Resolution No. 2008-485.

24. May 2008 Monthly Investment Transactions Report

Location: (Citywide)

Recommendation: Receive and file.

Contact: Lydia Abreu, Investment and Operations Manager, (916) 808-5168; Shirley Tupaz, Investment Operations Analyst, (916) 808-5168, Office of the City Treasurer.

Action: Received and filed.

25. Contracts: Purchase of Liquid Aluminum Sulfate (Alum) and Quicklime

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) awarding a one-year contract with up to two one-year renewal options for the purchase of liquid aluminum sulfate (alum) for the production of drinking water to General Chemical Performance Products, LLC in a total amount not to exceed \$6,875,550 for the three year period; 2) awarding a one-year contract with up to two one-year renewal options for the purchase of quicklime to Graymont Western US, Inc. in a total amount not to exceed \$835,000 for the three year period; and 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 adopted for the applicable fiscal year(s).

Contact: Marc Robles, Program Analyst, Procurement Services, (916) 808-6343, Finance Department, Steve Willey, Supervising Plant Operator, (916) 382-3712, Utilities Department.

Action: Removed from consent calendar by Sandy Sheedy. Moved, seconded, carried (Sheedy/Fargo; Absent – Waters) to adopt Resolution No. 2008-486.

26. 2007 Office of Public Safety Accountability Annual Report (OPSA)

Location: (Citywide)

Recommendation: Receive and file.

Contact: Francine Tournour, OPSA Director, (916) 808-7345, Office of the City Manager.

Action: Received and filed.

Public Hearings (Item 27)

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

27. Councilmember Call-Up: Budget Inn Conversion (P07-167) (Noticed on 7-3-08)

Location: 5321 Stockton Boulevard (District 5)

Recommendation: Continue to 7-22-08.

Contact: Stephanie Hockman, Junior Planner, (916) 808-7497, Nedzlene Ferrario, Senior Planner, (916) 808-7826, Development Services Department.

Action: No public comment. Moved, seconded, carried (Hammond/Pannell; Absent - Waters) to continue to July 22, 2008.

Staff Reports (Items 28 - 31)

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

28. (City Council/Redevelopment Agency) Docks Promenade Parkway Project [2/3 Vote Required]

Location: Sacramento Riverfront from O Street to R Street (District 1)

Recommendation: Adopt 1) a **City Resolution** a) approving and authorizing the City Manager to execute an amendment to the Proposition 40 River Parkway Program Grant agreement with the California Resources Agency to reprogram \$1.5 Million in grant funds to Phase 1 of the Docks Promenade Parkway Project; and b) authorizing the City Manager or his designee to execute amendments to the agreement(s) and accept the grant award; 2) a **City Resolution** a) approving the Mitigated Negative Declaration for the Docks Promenade Parkway; b) adopting the Mitigation Monitoring Plan; c) reaffirming adoption of the Docks Promenade Parkway Plan; 4) suspending competitive bidding for the future construction of the Docks Promenade Parkway – Phase I, as in the best interests of the City; and 3) a **Redevelopment Agency Resolution** authorizing the transfer of Merged Downtown Tax Increment Funds to the Docks Promenade Construction project (B18430000) in the amount of \$307,206.

Contact: Beth Tincher, Senior Project Manager, (916) 808-7730; Leslie Fritzsche, Downtown Division Manager; (916) 808-5450; Economic Development Department, Camille Wise, Program Specialist, (916) 808-8830, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.

Action: No public comment. Moved, seconded, carried (Tretheway/Fong; Absent - Waters) to adopt City Resolution Nos. 2008-487, 2008-488 as amended and Redevelopment Agency Resolution No. 2008-052.

29. Agreement: Approval of Disadvantaged Business Enterprise Race-Neutral Program and Goal for FY 2008-2009

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) reaffirming the minimum Disadvantaged Business Enterprise (DBE) race-neutral participation goal at twenty-five (25%) for Federal-Aid Transportation projects for the 2008-2009 Federal fiscal year; and 2) authorizing the City Manager to execute the previously approved "DBE Race-Neutral Program Implementation Agreement" and "Annual Submittal Form."

Contact: Charlotte A. Broussard, Business Services Advocate, (916) 808-8174; Trevor Walton, Business Services Manager, (916) 8080-6476, Economic Development Department.

Action: No public comment. Moved, seconded, carried (Hammond/Pannell; Absent - Waters) to adopt Resolution No. 2008-489. Councilmember Hammond requested an analysis and disparity study of the Department of Transportation contracts over the last two years.

30. Agreements/Supplemental Agreement: Discovery Museum Reorganization
Location: 101 I Street / District 1

Recommendation: Adopt a **Resolution** 1) approving and authorizing the City Manager to execute Supplemental No. 1 to City Agreement 2004-0033 between the Sacramento Museum of History, Science and Technology, Inc., ("Discovery Museum") and the City and County of Sacramento for the operation of the Science & Space Center; 2) approving and authorizing the City Manager to execute an agreement between the Historic Old Sacramento Foundation, Inc. ("HOSF") and the City and County of Sacramento for the operation of the History Museum; 3) amending the current funding policy to split the City contribution equally between the History Museum and Science & Space Center; 4) terminating City Agreement 2006-0797, between the Discovery Museum and the City regarding a \$500,000 Capital Improvement Grant for History Museum improvements; and, 5) approving and authorizing the City Manager to execute a memorandum of understanding between the HOSF and the City regarding an award of the remaining Capital Improvement Grant funds for the completion of History Museum improvements.

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

Action: No public comment. Moved, seconded, carried (Tretheway/Pannell; Absent - Waters) to adopt Resolution No. 2008-490.

31. Sacramento Riverfront Charter Vessel and Historic Tour Boats Water Taxis Amphibious Trolleys

Location: Old Sacramento Historic District (District 1)

Recommendation: Adopt a **Resolution** terminating City Agreements 2006-1306 and 2006-1307 between Sacramento Yacht Charters, LLC and the City of Sacramento.

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

Action: Public comment given by Dave Scurfield, Tim Mulgrew, Richard Patane, John Gueolo, Roy King and Gary Bradus. Moved, seconded, **failed** (Sheedy/Hammond; Absent - Waters) a substitute motion to adopt staff's recommendation.

Moved, seconded, carried (Tretheway/Cohn; Absent – Waters; Noes – Sheedy/Hammond) to take no action today and offer a 30-day extension to continue negotiations and meetings to be coordinated by Councilmember Tretheway.

Information Reports (Items 32 and 33)

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

32. Informational Report: Community Racial Profiling Commission Quarterly Report (January – March 2008)

Location: (Citywide)

Recommendation: Receive and file.

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

Action: Received and filed.

33. Notification of Final Map and Subdivision Improvement Agreement for Rita and Shankar Subdivision (P04-207)

Location: West side Austin Street south of Grace Avenue (District 2)

Recommendation: Receive and file.

Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918, Development Services Department.

Action: Received and filed.

Public Comments-Matters Not on the Agenda

- a. Don Sousa – fire protection and use of National Guard

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments
 1. Army Depot Redevelopment Advisory Committee
 - a. Jeff Coburn (Category C)
 2. Solid Waste Advisory Committee
 - a. Kathleen D. Ave (Category A-1)
 - b. Mark White (Category A-3)
 3. Ethel MacLeod Hart Advisory Committee
 - a. Karen Raasch (Category B)
 4. Bicycle Advisory Committee
 - a. Patrick McAuliffe (Category A)
 - b. Mellissa Meng (Category A)
 5. Sacramento Disabilities Advisory Commission
 - a. Lester Finch, Jr.
 6. Paratransit, Inc. Board of Directors
 - a. Scott Leventon (incumbent)
 7. Housing Codes Advisory & Appeals Board
 - a. Alexander Handy
 8. Sacramento Sports Commission
 - a. Warren Smith (Category C)
- b. Reports Back
 1. Hammond – specifically City Manager to create a staff matrix for Curtis Park Railyards to work with Lauren and her committees.
 2. Pannell – requested City Manager to refer to Law and Legislation Committee an ordinance to penalize those stealing and those buying stolen copper and other metals.
 3. Sheedy – requested that she and all council members be notified of any changes, large or small, to office reconfigurations in city hall.
- 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. Downtown Plaza, LLC v. Redevelopment Agency of the City of Sacramento, Sacramento County Superior Court Case No. 34-2008-00012956.
- b) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Robert Castro Jr. v. City of Sacramento, Sacramento County Superior Court Case No. 34-2008-00012385.
- c) Pursuant to Government Code section 54957.6 to discuss matters pertaining to negotiations with unrepresented employees: the City Manager, City Attorney, City Clerk and City Treasurer. The purpose is to confer with the City's chief negotiator, Geri Hamby.

Sacramento Housing and Redevelopment Agency

- d) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Downtown Plaza, LLC v. Redevelopment Agency of the City of Sacramento, Sacramento County Superior Court Case No. 34-2008-00012956.
- e) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Robert Castro Jr. v. City of Sacramento, Sacramento County Superior Court Case No. 34-2008-00012385.

Recess to Closed Session – 4:35 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 6:12 p.m. Tuesday, July 15, 2008 at the Sacramento City Hall Council Chamber. All members present.

Pledge of Allegiance – led by Mayor Fargo.

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 34 and 35)

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

- 34. **Arena Seniors Project (P08-013)** (Noticed on 7-2-08)
Location: Southwest corner of Truxel Road and Sports Parkway (District 1)
Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** adopting the Mitigated Negative Declaration Addendum and Mitigation Monitoring Plan; 2) a **Resolution** approving the Planned Unit Development Schematic Plan Amendment for 8.5 acres within the Arena Corporate Center PUD; and 3) a **Resolution** approving the project.
Contact: David Hung, Associate Planner, (916) 808-5530; Lindsey Alagozian, Senior Planner, (916) 808-2659, Development Services Department.
Action: No public comment. Moved, seconded, carried (Trethway/Pannell) to close the public hearing and adopt Resolution Nos. 2008-492, 2008-493 and 2008-494.

35. **Appeal of the 'Metropolitan' Project (P05-205)** (Noticed on 7-2-08)
Location: 910 10th Street (northeast corner of 10th & J Streets (District 1)

Recommendation: Conduct a public hearing and upon conclusion deny the appeal adopting (1) a **Resolution** approving the project and (2) a **Resolution** certifying the Environmental Impact Report and approving the Mitigation Monitoring Program.

Contact: Michael York, Associate Planner, (916) 808-8239; Evan Compton, Senior Planner, (916) 808-5260, Greg Bitter, Principal Planner, (916) 808-7816, Planning Department.

Action: Public comment given by Daisy Mera, Marco Hernandez and William Kopper. Moved, seconded, carried (Tretheway/Fong) to close the public hearing and adopt Resolution No. 2008-495 and Resolution No. 2008-498.

Staff Reports (Items 36 and 37)

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

36. **Shovel-Ready Sites Program - Capital Improvement Projects**
Location: River District (District 1) and 65th Street Area (Districts 3 and 6)

Recommendation: Adopt a **Resolution** authorizing the use of \$550,000 from the Shovel-Ready Sites Program (D21001300) for planning, environmental and staff costs for the River District Specific Plan and for master planning of the Ramona Avenue area within the 65th Street area.

Contact: Desmond Parrington, AICP, Infill Coordinator, (916) 808-5044, Planning Department and Rachel Hazlewood, Senior Project Manager, (916) 808-8645, Economic Development Department.

Action: No public comment. Moved, seconded, carried (Tretheway/Cohn) to adopt Resolution No. 2008-496.

37. **(City Council/Redevelopment Agency) Agreements: River District Specific Plan Funding Project (B700-06)**
Location: River District - Council District 1

Recommendation: Adopt 1) a **City Resolution** a) establishing the River District Specific Plan Project; b) authorizing the City Manager to enter into a Reimbursement Agreement to reimburse fees and costs for the project for property owners to advance funding; c) authorizing the City Manager to enter into an Individual Project Agreement (IPA) with the Redevelopment Agency to allow the Agency in five years to repay property owners with tax increment revenues for any balances outstanding on the Reimbursement Agreement and for the City to repay Agency with impact fees thereafter; and d) authorizing the transfer of \$500,000 in general funds (Fund 1001) from the Shovel Ready Sites Program (CIP #D21001300); and 2) a **Redevelopment Agency Resolution** approving an Individual Project Agreement for up to \$400,000 in River District Redevelopment tax increment revenues to repay property owners for any remaining balance owed them in five years under the Agreement to Reimburse Fees and Costs and to provide for the subsequent repayment from the City.

Contact: Rachel Hazlewood, Senior Project Manager, 808-8645; Mark Griffin, Fiscal Manager, 808-8788, Economic Development Department.

Action: No public comment. Moved, seconded, carried (Tretheway/Waters) to adopt City Resolution No. 2008-497 and Redevelopment Agency Resolution No. 2008-053.

Public Comments-Matters Not on the Agenda

- a. Kim Glazzard – West Nile virus spraying.
- b. Linda Roberts – unable to stay to speak but asked that her written comments be entered into the record re: West Nile virus spraying. “We are against overhead spraying of pesticides to prevent West Nile. Prior year use of pesticide has extended the presence of West Nile Virus as we predicted. There is no scientific proof that spraying lowers infection rates but does create asthma danger.”

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments
 1. Small Business Development & Employment Advisory Board
 - a. Trina McKie (Category B)
 - b. Edgar Calderon (Category A)
 - c. Rasha Salama (Category A)
 - d. Lauren Morgan (Category B)
 - e. Brent Lee Yager (Category C)
 2. Animal Care Services Citizens Advisory Committee
 - a. Maria Leticia Sanchez (Category A)
 - b. Beverly Gonsalves (Category C)
 - c. Margaret Kenneth (Category C)
 - d. Abbi Novotny (Category C)
 3. Preservation Commission
 - a. Melissa Mourkas (Category E)
 4. Utilities Rate Advisory Commission
 - a. Steven Archibald (Category A)
 - b. Douglas Brown (Category A)
 - c. Tess Kretschmann (Category A)
 - d. Karen McBride (Category A)
 - e. John Puente (Category A)
 - f. Robert Blymyer (Category B)
 - g. Ernest Lehr (Category B)
- b. Reports Back
 1. Mayor – per the council rules of procedure Mayor requested the youth gang violence initiative placed on next week’s agenda for discussion
 2. Tretheway – requested report on mosquito infestation and possible alternative joint methods for eradication.
 3. McCarty – requested a staff/council conversation regarding water usage and sustainability
 4. Mayor – requested manager to look at fees required for installing bike racks in the downtown area so that it is more affordable for businesses to install them.
 5. Mayor – asked that the use of palm trees be limited as they provide no shade and suggested they be used for aesthetic purposes only and not allowed to meet shade requirements.

- c. Meeting/Conference Reports – None.
 - 1. Waters – (AB1234 compliance) reported on his recent trip to Japan to study waste to energy solutions.
 - 2. Cohn/Fong – (AbB1234 compliance) reported on their recent study mission to Vancouver Washington where they reviewed economic development strategies and development issues

Adjournment – 8:00 p.m. in memory of Jack Wailim.

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

Shirley Concolino, City Clerk

