



## REPORT TO COUNCIL City of Sacramento

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

CONSENT  
August 26, 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 August 7, 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 August 7, 2008



# MINUTES

Thursday, August 7, 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 p.m. Thursday, August 7, 2008 at the Sacramento City Hall Council Chamber. All members present. Councilmember Cohn arrived at 2:17 p.m. Councilmember McCarty left at 3:00 p.m.

## **Special Presentations/General Communications**

### a. **Invitation to the 2008 California State Fair**

**Action:** Presentation and invitation to council made by Norb Bartosik.

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

## Consent Calendar (Items 1 – 8 and supplemental agenda item 16)

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/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 July 15, 2008**

**Location:** (Citywide)

**Recommendation:** Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for July 15, 2008.

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

**Action:** Approved recommendation.

### 2. **Open an Application Period for Various Boards and Commissions**

**Location:** (Citywide)

**Recommendation:** Open an application period for: 1) Ann Land/Bertha Henschel Memorial Fund Commission to open 08/18/08 with applications due 09/19/08; 2) Cities/County Solid Waste Advisory Committee to open 08/11/08 with applications due 09/12/08; 3) North Sacramento Redevelopment Advisory Committee to open 8/8/08 with applications due 8/22/08; and 4) Sacramento Youth Commission to open 08/22/08 with applications due 09/26/08.

**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. Contract: Fuel Site Testing, Maintenance, Monitoring, and Reporting Services**  
**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** 1) awarding Walton Engineering, Inc., the lowest responsive and responsible bidder, a one-year contract with two one-year renewal options for testing, maintenance, monitoring, and reporting services for the City's fuel storage and dispensing sites in an amount not to exceed \$155,000 for the three year period; and 2) authorizing the City Manager or the City Manager's designee to execute the contract.

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

**Action:** Adopted Resolution No. 2008-546.

**4. Robertson Park Master Plan Change**  
**Location:** 3525 Norwood Avenue (District 2)

**Recommendation:** Adopt a **Resolution** approving the changes to the Robertson Park Master Plan.

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

**Action:** Adopted Resolution No. 2008-547.

**5. Administrative Matter: Stockton Boulevard Property Business and Improvement District (PBID)**

**Location:** Includes approximately 262 individual parcels and 194 property owners (Districts 5 and 6)

**Recommendation:** Adopt a **Resolution** 1) repealing Resolution No. 2008-381 and 2) adopting the Stockton Boulevard PBID annual budget and levying assessment for fiscal year 2008/09.

**Contact:** Jodie Vong, Administrative Analyst, (916) 808-8243; Mark Griffin, Fiscal Manager, (916) 808-8788, Planning Department.

**Action:** Removed from Consent Calendar by Councilmember Hammond. Moved, seconded, carried (Hammond/Sheedy) to adopt Resolution No. 2008-548.

6. **Administrative Matter: Midtown Sacramento Property and Business Improvement District**

**Location:** Central Commercial Core of Midtown Sacramento and is comprised of approximately 560 parcels (Districts 1, 3, 4)

**Recommendation:** Adopt a **Resolution** 1) repealing Resolution No. 2008-442 and 2) adopting the Midtown Sacramento PBID annual budget and levying assessment to establish the correct parcel assessment rates for fiscal year 2008-09.

**Contact:** Sini Makasini, Administrative Analyst, (916) 808-7967; Mark Griffin, Fiscal Manager, (916) 808-8788, Planning Department.

**Action:** Adopted Resolution No. 2008-549.

7. **Change Order: Del Paso Road & El Centro Road Widening and Traffic Signal Modification (P21242300)**

**Location:** Intersection of Del Paso Road and El Centro Road (District 1)

**Recommendation:** Adopt a **Resolution** 1) appropriating \$100,000 from the North Natomas Community Development Fund (Fund 3201); and 2) authorizing the City Manager to execute Change Order No. 2 to Contract No. 2007-189 with Teichert Construction to compensate the contractor for extra work and additional bid quantities necessary to complete the project in the amount of \$238,275.

**Contact:** Jon Blank, Supervising Engineer, (916) 808-7914, Transportation Department.

**Action:** Adopted Resolution No. 2008-550 as amended.

8. **Contract: J/K Alley Sewer Replacement Project – 9<sup>th</sup> to 11<sup>th</sup> Street, (X14010014)**

**Location:** Alley between J and K Streets from 9<sup>th</sup> to 11<sup>th</sup> Street (District 1)

**Recommendation:** Adopt a **Resolution** 1) approving the contract plans and specifications for the project; and 2) awarding the contract to AC General Engineering to replace the pipeline segment of the project for an amount not to exceed \$424,320.

**Contact:** David L. Brent, Engineering Manager, (916) 808-1420, Rick Batha, Supervising Engineer, (916) 808-1448, Utilities Department.

**Action:** Adopted Resolution No. 2008-551

**Public Hearings (Items 9 and 10)**

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

9. **12<sup>th</sup> Street Maintenance District** (Noticed on 6-17-08)

**Location:** 12<sup>th</sup> Street between "C" and "I" (Districts 1 and 3)

**Recommendation:** Conduct a public hearing on the proposed dissolution of the existing District and its replacement with a new assessment District and upon conclusion 1) direct staff to count the ballots and return with the results; then 2) receive the City Clerk's oral report on the tabulation and based on the results of the tabulation **either;** a) adopt a **Resolution** approving the Engineer's Report, ordering the formation

of the 12<sup>th</sup> Street Maintenance District No. 2008-02, dissolving the existing Maintenance District No. 90-03, confirming and levying a service fee to pay for maintenance services, and recording a notice of assessment with the County Recorder; and adopt a **Resolution** amending the FY2008/09 City budget for the 12<sup>th</sup> Street Maintenance District No. 2008-02; **OR** b) adopt a **Resolution** terminating the proceedings as to 12<sup>th</sup> Street Maintenance District No. 2008-02 and directing staff to return for the proceedings to dissolve the 12<sup>th</sup> Street Maintenance District No. 90-03.

**Contact:** Salina Cheung, Program Specialist, (916) 808-5236; Mark Griffin, Fiscal Manager, (916) 808-8788, Planning Department.

**Action:** No public comment. Moved, seconded, carried (Cohn/Tretheway; Absent - McCarty) to close public hearing and direct City Clerk to count ballots and return for tabulation report out.

Moved, seconded, carried (Tretheway/Pannell; Absent – McCarty) to dissolve the existing District and replace with a new Assessment District by adopting Resolution Nos. 2008-552 and 2008-557. There were 6,809.32 votes cast; 4,329.28 in favor and 2,480.04 opposed; resulting in 63.58 per cent votes in favor.

10. **City of Sacramento Community Development Block Grant (CDBG) Program Mid-Year 2008 Action Plan Update** (Noticed on 3-28-08)

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** amending the 2008 and prior years' Sacramento Housing and Redevelopment Agency (SHRA) budgets to 1) defund previously approved CDBG appropriations; and 2) appropriate funds to new and existing activities that will be completed within the next 18 months.

**Contact:** Gregory H. Wessel, Assistant Director, (916) 440-1346, Geoffrey Ross, Program Manager, (916) 440-1357, Sacramento Housing and Redevelopment Agency.

**Action:** No public comment. Moved, seconded, carried (Pannell/Sheedy; Absent - McCarty) to close public hearing and adopt Resolution No. 2008-553.

**Staff Reports (Items 11 - 13)**

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

11. **Gardenland Sand and Gravel Mine (Urrutia Site) Projects**

**Location:** 599 Garden Highway (District 1)

**Recommendation:** Adopt a **Resolution** 1) transferring \$105,000 of General Funds from Regional Parkway Acquisition (L19003500) to California Indian Heritage Center (CIHC) B18216000 to cover the City contribution toward remaining costs for appraisals, hazardous materials assessments, environmental permitting and related staff costs as preparation for potential property acquisition, reclamation and restoration of the projects; and 2) adopting the Mitigated Negative Declaration and approving the Mitigation Monitoring Plan prepared for the projects.

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

**Action:** No public comment. Moved, seconded, carried (Cohn/Fong; Absent – McCarty; Recused - Tretheway) to adopt Resolution No. 2008-554. Councilmember Tretheway left the dais during discussion.

12. **(Redevelopment Agency/City Council) 716 7<sup>th</sup> Street, 631 H Street, and 625 H Street Purchase**

**Location:** Corner of 7<sup>th</sup> and H Streets (District 1)

**Recommendation:** Adopt 1) a **Redevelopment Agency Resolution** a) authorizing the Interim Executive Director or her designee to take all actions necessary to purchase real property identified as Assessor Parcel Numbers 002-0141-001 (716 7<sup>th</sup> Street.), 002-0141-002 (site address unknown), 002-0141-003 and 004 (631 H Street) and 002-0141-007 (625 H Street), abate hazardous materials and demolish the improvements; b) authorizing the Interim Executive Director or her designee to issue a Request for Qualifications to seek a developer for a new SRO Replacement apartment project at the site; and c) amending the 2008 Agency budget to transfer \$3,440,000 in Downtown Housing Tax Exempt Bond funds from the SRO Residential Hotel Fund to the 7<sup>th</sup> and H project. 2) a **City Council Resolution** a) finding that it is in the best interest of the City to sell real property identified as Assessor Parcel Numbers 002-0141-001 (716 7<sup>th</sup> Street.), 002-0141-002 (site address unknown), 002-0141-003 and 004 (631 H Street) and 002-0141-007 (625 H Street) without competitive bidding, and b) authorizing the sale of the real property identified to the Redevelopment Agency.

**Contact:** Lisa Bates, Deputy Executive Director, (916) 440-1319, Diane Luther, Assistant Director, (916) 440-1362, Sacramento Housing and Redevelopment Agency.

**Action:** Public comment given by Michael Lazar and William Burg. Moved, seconded, carried (Tretheway/Fong; Absent – McCarty; Noes - Hammond) to adopt Redevelopment Agency Resolution No. 2008-060 and City Council Resolution No. 2008-555.

Councilmember Hammond requested that the City Manager report back on the total number of units that will be in the 95814 zip code.

13. **(Housing Authority/Redevelopment Agency) Riverview Plaza Project (Continued from 7-22-08, 7-29-08)**

**Location:** 600 I Street (District 1)

**Recommendation:** Adopt 1) a **Housing Authority Resolution** a) approving the substitution of the Housing Authority of the City of Sacramento (Housing Authority) as the limited partner of Riverview Plaza Associates, a California limited partnership. (Partnership); b) authorizing acceptance of \$300,000 ground lease partial payment from the Partnership; c) authorizing the Interim Executive Director to amend the budget to appropriate the \$300,000 ground lease payment from the Partnership for the purchase of the current limited partner's (Chevron U.S.A. Inc) interest; d) authorizing the purchase of Chevron's limited partner interest for \$300,000; e) authorizing the Interim Executive Director to amend the budget to pay for all transfer fees, costs and legal expenses on behalf of the Partnership and the Housing Authority, itself, in connection with the substitution of the Housing Authority as limited partner and purchase of Chevron's limited partner interest; f) approving acceptance of an Owner Participation Agreement, \$5,000,000 Forgivable Loan and related documents with the

Partnership for the project; g) approving the modification and extension of affordability restrictions on 33 residential units in the project in accordance with the requirements of tax increment funding as outlined in this staff report; and 2) a **Redevelopment Agency Resolution** a) authorizing the Interim Executive Director to approve the transfer of Chevron's limited partner interest to the Housing Authority and waive the Redevelopment Agency's rights under the 2004 Put and Option Agreement; b) authorizing the Interim Executive Director to execute an Owner Participation Agreement (OPA) and Forgivable Loan Agreement in substantially the form attached with the Partnership for the project; c) authorizing the transfer of \$5,000,000 from Downtown Tax-Exempt Tax Allocation Bonds to the project including the reimbursement of predevelopment costs associated with the work to be performed under the OPA; d) authorizing cost savings, if any, under the immediate needs budget, to be applied to other priority capital needs identified in the 2006 McGinnis Chen Capital Needs Assessment; e) approving the modification and extension of affordability restrictions on 33 residential units in the project for 55 years; f) authorizing the Interim Executive Director to execute other documents and perform other actions as necessary to make and reasonably administer the agreements.

**Contact:** Jim Hare, Assistant Director, Housing and Community Development, (916) 440-1313; Lisa Bates, Deputy Executive Director, Housing and Community Development, (916) 440-1322, Sacramento Housing and Redevelopment Agency.

**Action:** Public comment given by Wilma Cabral. Moved, seconded, carried (Tretheway/Pannell; McCarty-absent) to adopt Housing Authority Resolution No. 2008-013 and Redevelopment Agency Resolution No. 2008-061.

#### **Information Reports (Items 14 and 15)**

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

**14. Withdrawal of Applicant Appeal of the Merryhill School (P08-030)**

**Location:** Southeast corner of San Juan Road and Tourbrook Way (District 1)

**Recommendation:** Receive and file.

**Contact:** Steven Kerr, Junior Planner, (916) 808-5416; Lindsey Alagozian, Senior Planner, (916) 808-2659, Development Services Department.

**Action:** Received and filed.

**15. Withdrawal of Applicant Appeal of the Cheers Bar and Grill (P08-021)**

**Location:** The southwest corner of West El Camino Avenue and Truxel Road, (District 1)

**Recommendation:** Receive and file.

**Contact:** Kimberly Kaufmann-Brisby, Associate Planner, (916) 808-5590; Lindsey Alagozian, Senior Planner, (916) 808-2659, Development Services Department.

**Action:** Received and filed.

## Public Comments-Matters Not on the Agenda

- a. Robert Stuter – commented on a variety of subjects.

## Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments
  1. North Sacramento Redevelopment Advisory Committee
    - a. Tom Armstrong (Category A – Business Owner)
  2. Sacramento Youth Commission
    - a. James Johnson (District 2)
  3. 65<sup>th</sup> Street Redevelopment Advisory Committee
    - a. Ruth E. McElhinney (Category A-2)
  4. Ethel MacLeod Hart Advisory Committee
    - a. Eva Williams (Category A)
- b. Reports Back
  1. Sheedy – listing of General Fund allocated funds that have not yet been spent.
  2. Sheedy – issue of health insurance coverage offered by National Security being taken care of and handled properly
  3. Fargo – status of the Department of Utilities progress into the water meter investigation and the issue of compatability of meters and meter reading equipment.
  4. Fargo – costs, service impacts and status of the lease for the recent move to the North Permit Center.
  5. Fargo – place on future agenda the issue regarding the Del Paso Park Nature Area (Blue Oak Preserve) and work related to the Disc Golf Course.
  6. Fargo – city attorney report back on the city joining lawsuits protecting the rights of state workers and their paychecks due to the extremely late approval of a state budget.
- 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. Troy Allen v. Sacramento City Police Department et al., Sacramento County Superior Court Case No. 34-2008-00001838.

### Housing Authority and Redevelopment Agency of the City of Sacramento

- b) Pursuant to Government Code section 54957.6 to discuss matters pertaining to negotiations with recognized employee organizations: American Federation of State, County and Municipal Employees, Dist. 57, Local 146 AFL-CIO and Sacramento Housing and Redevelopment Agency Employee's Association. The purpose is to confer with the agency's chief negotiators, La Shelle Dozier, Jim Shields, Dee Contreras and Gil Basaldua.

**Recessed to Closed Session** – 4:38 p.m. in memory of Beth Grebitus

**Reconvene – 5:00 p.m.**

**Roll Call** – Mayor Fargo called the meeting to order at 5:02 p.m. and immediately adjourned as there were no items for discussion for the evening session.

**Adjournment** – 5:03 p.m.

**SUPPLEMENTAL AGENDA ITEM**

**Consent Calendar - 2:00 P.M.**

16. **Agreement: City Street and Parks Tree Inventory Data Collection Services**  
**Location:** (Citywide) **(To Be Delivered)**

**Recommendation:** Adopt a **Resolution** authorizing the City Manager to execute a Professional Services Agreement with Davey Resource Group, a Division of the Davey Tree Expert Company, for inventory and data collection of all City tree assets located in City parks and within the City right-of-way, for an amount not to exceed \$650,000.

**Contact:** Joe Benassini, Urban Forestry Manager, (916) 808-6258; Maria McGunigal, GIS Division Manager, (916) 808-7998, Transportation Department

**Action:** Removed from Consent Calendar by Councilmember Sheedy.

Public comment given by Gordon Mann, Aaron Donato, Jaymes Butler and Eric Douglas. Moved, seconded, carried (Tretheway/McCarty; Noes – Sheedy/Waters) to adopt Resolution No. 2008-556.

This is to certify that the foregoing is a true and correct copy of the minutes of the August 7, 2008 meeting as approved by the Sacramento City Council.

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Shirley Concolino, City Clerk