



REPORT TO COUNCIL City of Sacramento

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

CONSENT
November 25, 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 November 6, 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 November 6, 2008

MINUTES

Thursday, November 6, 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 2:07 p.m. Thursday, November 6, 2008 at the Sacramento City Hall Council Chamber. All members present.

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

Consent Calendar (Items 1 -18)

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request an item be removed for separate consideration.

Action: Moved, seconded, carried (Waters/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 October 14, 2008**
Location: (Citywide)

Recommendation: Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for October 14, 2008.

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

Action: Approved recommendation.

2. **City Board and Commission Term Expiration List for 2009**
Location: (Citywide)

Recommendation: Receive and file.

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

Action: Approved recommendation.

3. Open an Application Period for Various Boards and Commissions

Location: (Citywide)

Recommendation: Open an application period on November 7, 2008 with applications due on various dates for **1) Ann Land/Bertha Henschel Memorial Fund Commission, 2) Oak Park Redevelopment Advisory Committee, 3) 65th Street Redevelopment Advisory Committee, 4) Design Commission, 5) Board of Plumbing Examiners, 6) Preservation Commission, 7) Small Business Development & Employment Advisory Board, 8) Meadowview Development Committee, 9) Stockton Blvd Redevelopment Advisory Committee, 10) Stockton Blvd Redevelopment Advisory Committee, 11) Parks & Recreation Commission, 12) Sacramento Commission of History & Science, 13) Housing Code Advisory & Appeals Board, 14) Animal Care Services Citizen Advisory Committee, 15) Transportation Programming Guide Community Advisory Committee, 16) North Sacramento Redevelopment Advisory Committee, 17) Sacramento Army Depot Redevelopment Advisory Committee.**

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

Action: Approved recommendation.

4. Open an Application Period for Various Boards and Commissions

Location: (Citywide)

Recommendation: Open an application period for the Community Racial Profiling Commission, to open 11/07/08 with applications due on 11/21/08.

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

Action: Approved recommendation.

5. 2009 Regular Meeting Schedule for Sacramento City Council, Redevelopment Agency, Housing Authority and Financing Authority

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) approving the 2009 regular meeting schedule for City Council, Redevelopment Agency, Housing Authority and Financing Authority; and 2) designating four weeks regular meetings need not be held.

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

Action: Adopt Resolution No. 2008-708.

6. (City Council/Redevelopment Agency) 5700 Stockton Boulevard Project (San Juan Motel and Mobile Home Park)

Location: 5700 Stockton, Stockton Boulevard Redevelopment Project Area (District 2)

Recommendation: 1) Adopt a **Redevelopment Agency Resolution** a) authorizing purchase for just compensation including all real and personal property, which is fair market value as determined by an independent appraisal of the project; b) amending the 2008 Agency budget to transfer \$4,065,300 from the Stockton Boulevard Bank of

America Credit Line to the project; c) authorizing the Interim Executive Director, or designee, to take all actions reasonably necessary to voluntarily purchase all real and personal property, including payment for tenant relocation, demolition, security, maintenance, property management, insurance, and site planning expenses; d) approving the Relocation Plan for eligible tenants; and e) approving the Replacement Housing Plan and 2) adopt a **City Council Resolution** a) approving the Relocation Plan for eligible tenants; and b) approving the Mobile Home Closure Impact Report.

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

Action: Adopted Redevelopment Agency Resolution No. 2008-076 and City Council Resolution No. 2008-709.

7. **(Redevelopment Agency) Design Relocation: Regional Transit Bus Transfer Facility at 65th Street Light Rail Station Project**

Location: Q Street east of 65th Street (District 3)

Recommendation: Adopt a **Redevelopment Agency Resolution** a) finding pursuant to Health and Safety Code §33445 that design work to relocate the project will benefit the 65th Street Redevelopment Project area (65th ST RDA); b) finding pursuant to Health and Safety Code §33445 that there are no other feasible means of financing the project and that the project will help eliminate blighting conditions; c) finding that the project will further achievement of adopted goals in the 65th ST RDA Implementation Plan; d) approving \$68,102 of 65th Street Redevelopment Area Developer Assistance Tax Increment funds for preparation of project construction plans, specifications and bid documents; e) transferring \$292,027 of tax-exempt bond funds from the Redding Avenue Acquisition project to the bus facility Project; f) transferring \$139,871 from 65th Street Redevelopment Area Developer Assistance tax-exempt bond funds to the bus facility project; g) authorizing the Interim Executive Director to execute an Owner Participation Agreement for up to \$500,000 with the Sacramento Regional Transit District (RT) to utilize third-party design services to prepare Project plans if RT's governing board makes necessary findings consistent with California Community Redevelopment Law Section 33445; and h) amend the Agency's budget accordingly.

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

Action: Adopted Redevelopment Agency Resolution No. 2008-077.

8. **(Passed for Publication) Norwood and Jessie Walgreens Project (P07-141)**

Location: 4195 Norwood Avenue (District 2)

Recommendation: 1) Review a) a Resolution approving the environmental exemption under California Environmental Quality Act (CEQA) Guidelines Section 15332 (Infill Developments); b) a Resolution approving a Community Plan Amendment to re-designate the portion of the project site designated as Residential 11-21 du/na to Retail General; c) an Ordinance approving a rezone from Limited Commercial Review (C-1-R) and Multi-Family Residential (R-3) zones to General Commercial Review (C-2-R) zone relating to the project; d) a Resolution approving a Plan Review, Special

Permit and Variance for project; and 2) pass for publication the Ordinance title as required by the Sacramento City Charter 32c to be adopted November 18, 2008.

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

Action: Approved recommendation.

9. Agreement: Sale of Real Property

Location: South side of Old Garden Highway west of Northgate Blvd (District 1)

Recommendation: Adopt a **Resolution** 1) finding that, it is in the best interests of the City to sell the subject real property without calling for bids; 2) authorizing the City Manager or the City Manager's designee to execute the agreement for Sale of Real Property with Surjit Mahal for the amount of \$104,500; and 3) authorizing the City Manager or the City Manager's designee to execute such additional documents and to take such additional actions as necessary to implement the agreement.

Contact: Bill Sinclair, Program Manager, (916) 808-1905, General Services Department.

Action: Adopted Resolution No. 2008-710.

10. Contract: Elevator Repair and Maintenance Services at New City Hall [2/3 Vote Required]

Location: 915 I Street (District 1)

Recommendation: Adopt a **Resolution** 1) suspending competitive bidding in the best interests of the City; 2) awarding a five-year contract for elevator repair and maintenance services at new City Hall to Kone, Inc. to meet Americans with Disabilities Act (ADA) standards, to improve the safety and reliability of the City's elevators, and improve the quality of services to the buildings in a total amount not to exceed \$175,000 for the five year period; and 3) authorizing the City Manager or the City Manager's designee to execute the contract provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

Contact: Tony Alexander, General Supervisor, (916) 808-6360, Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

Action: Continued to November 18, 2008.

11. Letters of Understanding: Recognized Employee Organizations and Authorization for Such Changes

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) approving Letters of Understanding; and 2) authorizing the City Manager and his designee, the Director of Labor Relations, to approve routine modifications to the collective bargaining agreements as negotiated.

Contact: Dee Contreras, Director of Labor Relations, (916) 808-5424, Labor Relations Department.

Action: Adopted Resolution No. 2008-712.

12. College Greens and Glenbrook Neighborhood Monument Signs

Location: (District 6)

Recommendation: Adopt a **Resolution** 1) approving the environmental determination for a categorical exemption for the construction of five neighborhood monument signs for the College Greens and Glenbrook neighborhoods; 2) directing City staff to negotiate with private property owners for location of a monument sign and maintenance easements on parcels APN: 078-0022-034 and APN: 079-0182-012; and 3) directing City staff to negotiate with the County of Sacramento for a monument sign in County right of way at La Riviera Drive and Watt Avenue.

Contact: Jesse Gothan, Project Manager, (916) 808-6897, Richard Sanders, Real Estate Services, (916) 808-7034; Ryan Moore, Supervising Engineer, (916) 808-8279, Transportation Department.

Action: Adopted Resolution No. 2008-713.

13. Parking Enforcement Citation and Arrest Authority

Location: (Citywide)

Recommendation: Adopt a **Resolution** granting citation and arrest authority to new Parking Enforcement Officers in the Parking Services Division within the Department of Transportation.

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

Action: Adopted Resolution No. 2008-714.

14. Agreement: City-County North Area Recovery Station (NARS) Disposal [2/3 Vote Required]

Location: (Districts 1 and 2)

Recommendation: Adopt a **Resolution** 1) determining it is in the best interest of the City to suspend competitive bidding and; 2) awarding a contract for one year to Sacramento County for transfer of up to 25,000 tons of municipal solid waste at a cost of \$45.00 per ton for an anticipated not to exceed amount of \$1,125,000, and 3) authorizing the City Manager to extend the agreement for one additional year for transfer of up to an additional 25,000 tons under same terms and conditions as the first year with a 3% CPI increase for an anticipated total amount of \$2,283,750 including the extension.

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. 2008-715.

15. **Contract: Midtown Water Meter Retrofit Project (Z14010007)**
Location: The area from F St. to the South, B St. to the North, 21st St. to the West and Alhambra Blvd. to the East (District 3)
Recommendation: Adopt a **Resolution** 1) approving the contract plans and specifications for the project; 2) awarding the contract to Marques Pipeline for an amount not to exceed \$586,900 meeting the requirements of Assembly Bill 2572 by installing water meters on existing water services within the City of Sacramento; and 3) transferring \$250,000 from the Residential Water Meter Program Project (Z14003500) to the project.
Contact: Michael Malone, Field Services Manager, (916) 808-6226, Chris Powell, Utilities Construction Coordinator, (916) 808-4031, Utilities Department.
Action: Adopted Resolution No. 2008-716
16. **Agreement: Household Hazardous Waste Collection Program**
Location: (Citywide)
Recommendation: Adopt a **Resolution** authorizing the City Manager, or authorized designee, to execute a reimbursement agreement between the City of Sacramento and the County of Sacramento for the mutual use of the parties' household hazardous waste collection facilities for an annual amount not to exceed \$100,000.
Contact: Edison Hicks, Integrated Waste General Manager, (916) 808-4949, Doug Huston, Waste Reduction Coordinator, (916) 808-4935, Utilities Department.
Action: Adopted Resolution No. 2008-717.
17. **Contract: Fairbairn Water Treatment Plant Facility (FWTP) Switchgear Replacement Project (Z14002700)**
Location: 7501 College Town Drive (District 6)
Recommendation: Adopt a **Resolution** 1) approving the contract plans and specifications; and 2) awarding the contract to BRC Construction, Inc., to replace outdated switchgear and to improve the operation of the FWTP for an amount not to exceed \$525,000.
Contact: David L. Brent, Engineering Manager, (916) 808-1420, Dave Hansen, Supervising Engineer, (916) 808-1421, Utilities Department.
Action: Adopted Resolution No. 2008-718.
18. **Utility Billing-Identity Theft Prevention Program**
Location: (Citywide))
Recommendation: Adopt a **Resolution** approving an identity theft prevention program for the Department of Utilities.
Contact: Shellette Smallwood, Account and Billing Manager, (916) 808-4928, Jamille Moens, Business Services Division Manager, (916) 808-5988, Utilities Department.
Action: Adopted Resolution No. 2008-719.

Public Hearings (Items 19 and 20)

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

19. **Non-Disposal Facility Element Amendment** (Noticed on 10-24-08)

Location: (Citywide)

Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** 1) approving the amended Non-Disposal Facility Element (NDFE); and 2) authorizing staff to submit the amended NDFE to the California Integrated Waste Management Board for approval.

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

Action: No public comment. Moved, seconded, carried (Hammond/Tretheway) to close the public hearing and adopt Resolution No. 2008-720.

20. **(City Council/ Redevelopment Agency/Housing Authority) Riverview Plaza Financial Restructure and Rent Increase** (Noticed on 10-6-08)

Location: 600 I Street (District 1)

Recommendation: Conduct a public hearing and upon conclusion, adopt 1) a **Redevelopment Agency Resolution** a) authorizing the forgiveness of a Downtown Tax Increment (DTI) loan in the principal amount of \$1,000,000 to Riverview Plaza Associates; 2) a **City Resolution** authorizing the forgiveness of a Community Development Block Grant (CDBG) loan in the principal amount of \$1,398,512, and a Housing Development Action Grant Loan (HODAG) loan in the principal amount of \$2,000,000 (including all accrued interest) to the Partnership; 3) a **Housing Authority Resolution** a) authorizing the forgiveness of all accrued and future ground lease payments by and between the Housing Authority and the Partnership; and b) authorizing its consent as limited partner of the Partnership for the following: i) write-down and reconveyance of CDBG, HODAG and DTI loans; and ii) approval of recommended residential rent increases in conformance with regulatory agreements

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1316, Jim Hare, Assistant Director, (916) 440-1313, Sacramento Housing and Redevelopment Agency.

Action: No public comment. Moved, seconded, carried (Tretheway/Pannell) to close the public hearing and adopt Redevelopment Agency Resolution No. 2008-078, City Council Resolution No. 2008-721 and Housing Authority Resolution. No. 2008-016.

Staff Reports (Items 21- 23)

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

21. **Valley High North Laguna Library and Shasta Park Presentation [Oral Report]**

Location: (Citywide)

Recommendation: Receive and file.

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

Action: Received and filed.

22. Agreement: Waste to Energy Facility [To Be Delivered]

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing 1) approval of an agreement concerning the development of a Waste-to-Energy Facility; 2) the City Manager to execute such agreement on behalf of the City; and 3) negotiation of future agreements to govern development and operation of the Waste-to-Energy project, consistent with the terms of the agreement.

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

Action: Public comment given by Bill Edgar, Brian O'Toole, Lori Soldano, Tom Blee, Kit Miyamoto, Kathleen Ave and Steve Ayers. Moved, seconded, carried (Hammond/Fong) to continue the item to November 18 with staff to return with information on other independent competitors, verification of indemnity clause, business model and public documents from Los Angeles County.

23. Proposed Park Site at 19th and Q Streets

Location: Southwest corner of the intersection of 19th & Q Streets in Midtown (District 3)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager or his designee to submit an application to the U.S. Environmental Protection Agency for a Brownfields Cleanup Grant for an amount not to exceed \$200,000 for the development of a remediation action plan and subsequent cleanup of a proposed park site at 19th and Q Streets, 2) authorizing the City Manager or designated appointee to execute all necessary agreements, establish related revenue and expenditure budgets for the grant funds, and appropriate the grant funds contingent on receipt of award.

Contact: Camille Wise, Resource Development Specialist, (916) 808-8830, Mary de Beauvieres, Principal Planner, (916) 808-8722, Parks and Recreation Department.

Action: No public comment. Moved, seconded, carried (Cohn/Hammond) to adopt Resolution No. 2008-723.

Information Reports (Item 24)

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

24. Report Back: Department of General Services Emergency Contracts

Location: (Citywide)

Recommendation: Receive and file.

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

Action: Received and filed.

Public Comments-Matters Not on the Agenda - None.

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments
 - 1. Racial Profiling Commission
 - a. Ashiya Odeye (Community Activist-D5)
 - 2. Del Paso Heights Redevelopment Advisory Committee
 - a. Bob Grigas (Category C – Business Owner-D2)
- b. Reports Back – None.
- c. Meeting/Conference Reports – None.

Closed Session

City Council

- a) Pursuant to Government Code section 54957.6 to discuss matters pertaining to negotiations with recognized employee organizations: Stationary Engineers, Local 39; Sacramento Area Fire Fighters, Local 522; Sacramento Police Officers Association; International Association of Machinists, & Aerospace Workers (IAMAW); Auto, Marine & Specialty Painters, Local 1176; Sacramento-Sierra Building and Construction Trades Council; Plumbers & Pipefitters, Local 447; Western Council of Engineers. The purpose is to confer with the city's chief negotiator, Dee Contreras.

Recess to Closed Session – 4:45 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. Thursday, November 6, 2008 at the Sacramento City Hall Council Chamber. All members present. Councilmember Cohn arrived at 6:48 p.m.

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)).

Public Hearings (Items 25 and 26)

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

25. **Natomas Central Rezone (P08-066)** (Noticed on 10-23-08, passed for publication on 10-28-08, published in 10-31-08)

Location: Northwest Corner of Kos Island Avenue and Natomas Central Drive (District 1)

Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** approving the addendum to the Mitigated Negative Declaration and Mitigation Monitoring Plan; 2) a **Resolution** amending the General Plan by redesignating approximately 2.3 acres of Parks-Recreation-Open Space and 2.9 acres of Medium Density Residential (16-29 du/na) to Low Density Residential (4-15 du/na); 3) a **Resolution** amending the North Natomas Community Plan by redesignating approximately 2.3 acres of Parks/Open Space and 8 acres of General Public Facilities to Medium Density Residential; 4) an **Ordinance** rezoning approximately 8 acres of R-1-PUD, 2.3 acres of A-OS-PUD and 2.9 acres of R-2B-PUD to R-1A-PUD; 5) a **Resolution** amending the Natomas Central Planned Unit Development by re-designating approximately 8 acres from elementary school and 2.3 acres of park to Medium Density Residential; 6) a **Resolution** approving the tentative map, subdivision modifications and special permit for the Natomas Central Rezone project; and 7) a **Resolution** amending the Inclusionary Housing Plan for the Natomas Central Planned Unit Development.

Contact: Lindsey Alagozian, Senior Planner, (916) 808-2659, Gregory Bitter, Principal Planner, (916) 808-7816, Development Services Department.

Action: Public comment given by Shandon Hoffmeier, Rachelle Blanco and Mike Waasdorp. Moved, seconded, carried (Tretheway/McCarty) to close the public hearing and adopt Resolution Nos. 2008-724, 2008-725, 2008-726, 2008-727, 2008-728, 2008-729 and Ordinance. No. 2008-053.

26. **American River Parkway Plan 2006 (M03-002)** (Noticed on 10-24-08)

Location: Multi-jurisdictional open space greenbelt, extending along an approximately 29-mile long section of the American River, from the American River's confluence with the Sacramento River to Folsom Dam (Districts 1, 2, 3, and 6)

Recommendation: Conduct a public hearing and adopt 1) a **Resolution** considering the Environmental Impact Report, adopting the Mitigation Monitoring Plan, and adopting Findings and Statement of Overriding Considerations for the American River Parkway Plan 2006, and 2) a **Resolution** adopting and forwarding to the State Legislature for final adoption of the American River Parkway Plan 2006 and Repealing Resolution No. 86-225.

Contact: Dana Allen, Senior Planner, (916) 808-2762, J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Parks and Recreation Department.

Action: Public comment given by Patty Kleinknecht, Mary Tappel, Betsy Weiland and Frank Cirill, Moved, seconded, carried (Tretheway/Sheedy; Absent - Cohn) to close the public hearing and adopt Resolution Nos. 2008-730 and 2008-731.

Public Comments-Matters Not on the Agenda – None.

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments – None.
- b. Reports Back
 - 1. Cohn – reported on his recent sister city trip to Japan – no city funds expended.
 - 2. Cohn – requested to add Race for Peace item to an upcoming city council meeting agenda.
- c. Meeting/Conference Reports – None.

Adjournment - 7:25 p.m. in memory of Maxine Phillips

This is to certify that the foregoing is a true and correct copy of the minutes of the November 6, 2008 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk