



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

Agenda

Tuesday, December 2, 2008

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

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

CITY COUNCIL

Kevin Johnson, 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.

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AGENDA

Tuesday, December 2, 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 by Vice-Mayor Steve Cohn

Special Presentations/General Communications

- a. **Race for Peace**
- b. **Resolution to Encourage “Local” Shopping**

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

Consent Calendar (Items 1 - 14)

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.

1. **(City Council/Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for November 13, 2008**
Location: (Citywide)
Recommendation: Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for November 13, 2008.
Contact: Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk
2. **November 4, 2008 General Election Results [To Be Delivered]**
Location: (Citywide)
Recommendation: Adopt a **Resolution** declaring the results of the November 4, 2008 general municipal election as certified by the County Registrar of Voters.
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.
3. **Confirmation of Board and Commission Appointments**
Location: (District 6)
Recommendation: Confirmation of board/commission appointments to the:
1) Community Racial Profiling Commission – Julia Vera (Category D-6).
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk.

Consent Calendar (Continued)

- 4. Grant/ Agreements: FY2008/09 Arts Stabilization Grants Program**
Location: Various locations throughout the City and County of Sacramento
Recommendation: Adopt a **Resolution** 1) authorizing the allocation of an amount not to exceed \$98,000 to fund artists, arts groups and arts organizations through the various Arts Stabilization grants through June 30, 2009, and 2) approving and authorizing the City Manager or his designee to execute agreements with the grantees for award amounts not to exceed \$5,000.
Contact: Anja Aulenbacher, Grants and Cultural Programs Coordinator, Sacramento Metropolitan Arts Commission, (916) 566-3986, Rhyena Halpern, Executive Director, Sacramento Metropolitan Arts Commission, (916) 566-3989, Convention Culture and Leisure Department.
- 5. Agreement: 2007- 09 Cultural Arts Award Funding and Cycle Extension**
Location: All districts of the City and County of Sacramento
Recommendation: Adopt a **Resolution** 1) authorizing the third year allocation (calendar year 2009) of the 2007-09 Cultural Arts Awards for a total of \$700,000; and 2) approving and authorizing the City Manager, or his designee, to execute an agreement between the City and County of Sacramento for the transfer of \$350,000 in City funds to the County for the County's facilitation of the grant contracts.
Contact: Anja Aulenbacher, Grants & Cultural Programs Coordinator, Sacramento, Metropolitan Arts Commission (SMAC),(916) 566-3986, Rhyena Halpern, Executive Director, SMAC, (916) 566-3989 Convention Culture and Leisure Department.
- 6. 2007 California Building Code, California Plumbing Code and California Mechanical Code** (Passed for Publication on 11-25-08, Published on 11-28-08)
Location: (Citywide)
Recommendation: Adopt an **Ordinance** amending various sections of Title 15 of the Sacramento City Code relating to the Sacramento City Building Code and adoption of local amendments to the 2007 California Building Standards Code.
Contact: Ed Short, Supervising Engineer, (916) 808-8859; Bob Chase, Chief Building Official, (916) 808-8024, Development Services Department.

Consent Calendar (Continued)

7. **Supplemental Agreement: North Area Corporation Yard (NACY) Implementation of the Toxic Remediation Plan Project (C13001400)**
Location: 918 Del Paso Road, Sacramento County
Recommendation: Adopt a **Resolution** 1) authorizing the implementation of a Final Remediation Plan to clean up toxic soil and groundwater contamination at NACY; 2) authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 2 to Agreement No. 2007-0192 with AMEC Geomatrix, Inc. increasing the agreement from \$86,735 to an amount not to exceed \$106,335 for additional work related to the completion of the remediation plan; 3) authorizing the transfer of \$1,104,658 from 2003 Capital Improvement Revenue Bond (CIRB) funds to the project; and 4) 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 resolution.
Contact: Karl Kurka, Environmental Program Manager, (916) 808-8430, Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.
8. **Change Order: Oak Park Community Center - Phase II Project (L13000100)**
Location: 3429 Martin Luther King, Jr. Boulevard (District 5)
Recommendation: Adopt a **Resolution** 1) authorizing the City Manager or the City Manager's designee to execute Change Order No. 3 to Contract No. 2008-069 with John F. Otto to complete the project in an amount not to exceed \$192,263 bringing the total contract amount to \$2,761,270; and 2) resetting the City Manager's signature authority.
Contact: Suzy Vose, Construction Manager, (916) 808-5640, Yadi Kavakebi, Facilities Superintendent, (916) 808-8432, General Services Department.
9. **Agreement: Four Seasons at Westshore Community in Natomas Central (P04-173)**
Location: Lodge at Four Seasons, 4200 Hovnanian Drive (District 1)
Recommendation: Adopt a **Resolution** 1) approving an agreement for private recreational facilities and parkland fee credit with K. Hovnanian Forecast Homes Northern, Inc. and the Four Seasons at Westshore Community Association under Sacramento City Code Chapter 16.64 for the project to satisfy 15% of the parkland dedication requirement for the community; and 2) authorizing the City Manager to execute the agreement.
Contact: Mary de Beauvieres, Principal Planner, (916) 808- 8722, J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Parks and Recreation Department.

Consent Calendar (Continued)

10. **Agreement: Design and Construction of Park Improvements in Railyards**
Location: Extends north from area near 2nd and I Streets to west side of the Railyards Central Shops area (District 1)
Recommendation: Adopt a **Resolution 1**) approving the Sacramento Railyards Old Sacramento-Central Shops Multi-Use Trail Improvement Agreement with S. Thomas Enterprises of Sacramento, LLC to provide funding for the design of the multi-use trail in an amount not to exceed \$600,000; and 2) establishing a new Capital Improvement Program (CIP) for the Old Sacramento-Central Shops Multi-Use Trail under the name Railyards Market Plaza project (L19203000); and 3) appropriating \$600,000 from the Park Development Impact Fees, Fund 3204, for the plaza project.
Contact: Mary de Beauvieres, Principal Planner, (916) 808-8722, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.
11. **Department of Parks and Recreation Park Production Report and Park Development Work Program**
Location: (Citywide)
Recommendation: Receive and file.
Contact: Gary Hyden, Supervising Landscape Architect, (916) 808-1949, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.
12. **(Pass for Publication) Frequency of Community Racial Profiling Commission Meetings**
Location: (Citywide)
Recommendation: 1) Review the Ordinance amending section 2.110.090 of the Sacramento City Code, relating to the required frequency of regular meetings of the Community Racial Profiling Commission; 2) pass for publication the Ordinance title as required by Sacramento City Charter section 32(c) to be adopted on December 9, 2008.
Contact: Jim Maccoun, Captain, 808-0417, Police Department.

Consent Calendar (Continued)

13. **Bridge Maintenance Program Consolidation of Projects and Transfer of Funds**

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) transferring funds between various bridge maintenance projects; 2) transferring \$500,000 (Fund 2005) from the Street Overlay and Seals Program (R15072000) to the HBP - Preventative Bridge Maintenance Capital Fund (R15094500); 3) transferring \$370,000 (Fund 2005) from the Bridge Renovation Project (T15048900) to the HBP - Preventative Bridge Maintenance Capital Fund; 4) appropriating \$460,000 from Measure A Construction Contingency (Fund 2001) to the HBP - Preventative Bridge Maintenance Capital Fund; and 5) transferring any remaining balances to the Local - Preventative Bridge Maintenance Capital Fund (R15094800) after the completion of the Bridge Renovation Project (T15048900) and the Center Parkway Bridge Repair Project (T15048901).

Contact: Theresa Arnold, Special Projects Engineer (916) 808-5514, Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.

14. **Administrative Matter/Contracts: Clarification on Maintenance and Repair of Curbs, Gutters, Sidewalks, and Related Items**

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to approve individual contracts with a) AJ's Landscape Construction; b) BRW Concrete; c) C&C Construction, Incorporated; d) Do-Right Concrete, Incorporated; e) Franklin T. Gassaway & Son, Incorporated; f) Gassaway Concrete; g) G&G Concrete, Incorporated, h) Ismael Marquez Concrete; i) Madriago-Lewis Construction, Incorporated; j) Newland Entities, Incorporated, k) R4 Corporation, Incorporated; and l) Sheppard Concrete, Incorporated for the "Maintenance and Repair of Curbs, Gutters, Sidewalks, and Related Items" for a base period of one calendar year; 2) authorizing the City Manager, or his designee, to execute the four option periods if determined to be in the best interests of the City; and 3) repealing Resolution 2008-452 due to an administrative error.

Contact: Juan Montanez, Street Services Manager, (916) 808-2254, Gabriel Morales, Operations General Supervisor, (916) 808-2289, Transportation Department.

Mayor-Elect Kevin Johnson Oath of Office

Public Hearings (Items 15 and 16)

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

15. **FY2008/09 Proposed Metered Water Rate Restructure** (Continued from 6-24-08, 7-22-08, Noticed on 10-16-08)

Location: (Citywide)

Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** amending the Water Service Fee and Charge Report to adopt the new metered water service rate structure.

Contact: Jessica Hess, Media and Communication Specialist, (916) 808-8260, Utilities Department.

Public Hearings (Continued)

16. **FY2008/09 Proposed Water Rate, Fee and Charge Adjustment** (Noticed on 10-16-08)
Location: (Citywide)
Recommendation: Conduct a public and upon conclusion 1) adopt a **Resolution** amending the Water Service Fee and Charge Report, and 2) directing the City Manager to include this amendment to the Water Revenue Fund (Fund 6005) in the FY2008/09 approved budget.
Contact: Jamille Moens, Business Services Division Manager, (916) 808-5988, Utilities Department.

Staff Reports (Items 17 -20)

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

17. **Capitol Area Development Authority (CADA) 2008 – 2013 Strategic Plan**
Location: (Citywide)
Recommendation: Receive and file.
Contact: Sheli Varshawsky, Executive Secretary to the Executive Director (CADA), (916) 322-2114.
18. **South Natomas Community Infrastructure Fund Deferral Program**
Location: (District 1)
Recommendation: Adopt a **Resolution** establishing South Natomas Community Infrastructure Fund Fee Deferral Program as part of an Economic Stimulus Strategy.
Contact: David Kwong, Planning Manager, (916) 808-2691, Janis Franklin, Program Specialist, (916) 808-7705 and William Thomas, Development Services Director, (916) 808-1918, Development Services Department.
19. **(Redevelopment Agency) Agreement: Fresh and Easy Neighborhood Market**
Location: 965 El Camino Avenue, North Sacramento Redevelopment Area (District 2)
Recommendation: Adopt a **Redevelopment Agency Resolution** authorizing the Executive Director or her designee to 1) amend the Sacramento Housing and Redevelopment Agency budget to allocate \$2,250,000 of the North Sacramento Redevelopment Area's Bank of America Line of Credit to the Fresh & Easy Neighborhood Market, and 2) execute an Owner Participation Agreement (OPA), loan agreements, and related documents with Hudson Development Company, LLC for the construction of site improvements.
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.

Staff Reports (Continued)

20. **(City Council/Redevelopment Agency) Preliminary Report on the Proposed Eleventh Amendment to the Redevelopment Plan for the Del Paso Heights Redevelopment Project Area**

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

Recommendation: Adopt a 1) **City Council Resolution** consenting to and calling a joint public hearing with the Redevelopment Agency of the City of Sacramento to consider the Proposed Eleventh Amendment to the Redevelopment Plan for the Del Paso Heights Redevelopment Project; and make related findings; and 2) a **Redevelopment Agency Resolution** approving the Preliminary Report on the Proposed Eleventh Amendment to the Redevelopment Plan for the Del Paso Heights Redevelopment Project, referring said Proposed Eleventh Amendment to the Planning Commission of the City of Sacramento and to the Del Paso Heights Redevelopment Advisory Committee for report and recommendation, and consenting to and requesting the City Council of the City of Sacramento to call a joint public hearing with the Redevelopment Agency of the City of Sacramento to consider said Proposed Eleventh Amendment.

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

Information Reports (Item 21)

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

21. **Notification of “Final Map and Subdivision Improvement Agreement for Winterhaven Subdivision P08-090**

Location: South side Winterhaven Avenue east of Northgate Boulevard (District 1)

Recommendation: Receive and file.

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

Public Comments-Matters Not on the Agenda

Council Comments-Ideas, Questions and Meeting/Conference Reports

Recess

Reconvene – 6:00 p.m.

Roll Call

Pledge of Allegiance

Special Presentations/General Communications

a. **City Manager Academy Graduation**

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

Public Hearings (Items 22 – 24)

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

- 22. Franklin Point (P05-153)** (Noticed on 11-19-08, Passed for Publication on 11-25-08, Published on 11-28-08)
Location: Southwest corner at the intersection of Franklin Blvd. and Mack Road (District 7)
Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** adopting the Mitigated Negative Declaration and approving the Mitigation Monitoring Plan; 2) a **Resolution** approving the PUD Guidelines and Schematic Plan amendments; 3) a **Resolution** approving the project with a Tentative Map; Special Permits to operate a convenience market, and to allow the sale of beer and wine at the convenience market for off-site consumption; and a Plan Review of a commercial mixed-use project in the Shopping Center Planned Unit Development (SC-PUD); and 4) an **Ordinance** amending Sections Ordinance No. 93-033 relating to Prohibited Uses for the Shopping Center.
Contact: Kimberly Kaufmann-Brisby, Associate Planner, (916) 808-5590 Nedzlene Ferrario, Senior Planner, (916) 808-7826, Development Services Department.
- 23. 2030 General Plan – Preliminary Action** (Noticed on 11-18-08)
Location: (Citywide)
Recommendation: 1) Open a public hearing, adopt a **Resolution** Declaring Intent to Override the Airport Land Use Commission’s Findings of Inconsistency and continue the public hearing to January 20, 2009; and 2) open a public hearing and review the 2030 General Plan and Master Environmental Impact Report (MEIR), and continue the public hearing to January 20, 2009.
Contact: Tom Pace, Long Range Planning Manager, (916) 808-6848, Planning Department.

Public Hearings (Continued)

- 24. Revision of the North Natomas Finance Plan and Fee Increases** (Noticed on 10-17-08 and 10-24-08)

Location: (District 1)

Recommendation: Continue to 1-20-09.

Contact: Mark Griffin, Program Manager, (916) 808-8788, Planning Department.

Public Comments-Matters Not on the Agenda

Council Comments-Ideas, Questions and Meeting/Conference Reports

Adjournment