



REPORT TO COUNCIL City of Sacramento

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

CONSENT
January 6, 2009

Honorable Mayor and
Members of the City Council

Subject: Approval of Council Minutes.

Location/Council District: (Citywide)

Recommendation:

Approve the afternoon and evening City Council, Financing Authority, Housing Authority and Redevelopment Agency Minutes for November 25, 2008, December 2, 2008, and December 9, 2008 meetings.

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:

Dawn Bullwinkel
for Shirley Concolino, City Clerk

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November 25, 2008, December 2, 2008, and December 9, 2008 Minutes

MINUTES

Tuesday, November 25, 2008

City Hall – 915 I Street- First Floor Council Chamber

All items listed are heard and acted upon by the Sacramento City Council unless otherwise noted.

Open Session - 2:00 p.m.

Roll Call - A regular meeting of the Sacramento City Council was called to order by Mayor Fargo at 2:06 p.m. Tuesday, November 25, 2008 at the Sacramento City Hall Council Chamber. All members present.

Consent Calendar (Items 1 - 23)

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 November 6, 2008

Location: (Citywide)

Recommendation: Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for November 6, 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) Development Oversight Commission to open 11/26/08 with applications due 12/12/08; 2) Sacramento Youth Commission to open 11/26/08 with applications due 12/12/08.

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.

3. Confirmation of Board and Commission Appointments

Location: (Citywide)

Recommendation: Confirmation of board/commission appointments to: 1) Sacramento Disabilities Advisory Committee – Neal Eli Albritton; 2) Ethel MacLeod Hart Advisory Committee – Peggy Roark (Category C); 3) Sacramento Environmental Commission – Kristin L. Garcia (Category A); and 4) Capitol Area Development Authority – Robert G. Lagomarsino (Category B) and 5) City Planning Commission – Barry Wasserman.

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

Action: Approved recommendation.

4. Confirmation of Board and Commission Appointments

Location: (Citywide)

Recommendation: Confirm the Mayor's appointment of Council Member Bonnie Pannell as a regular member to the Sacramento Area Flood Control Agency (SAFCA).

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

Action: Approved recommendation.

5. Rental Housing Inspection Program Fee Collection Process (Passed for Publication on 11-18-08, Published on 11-21-08)

Location: (Citywide)

Recommendation: Adopt an **Ordinance** amending Section 8.120.210 of the Sacramento City Code; adding Sections 8.120.220 through 8.120.270 of the Sacramento City Code relating to the collection of unpaid fees, costs or charges; and amending Section 8.120.050 of the Sacramento City Code relating to the establishment of fees.

Contact: Max Fernandez, Director Code Enforcement, (916) 808-7940, Randy Stratton, Chief of Housing & Dangerous Buildings, (916) 808-6497, Code Enforcement Department.

Action: Adopted Ordinance No. 2008-055.

6. (Pass for Publication) 2007 California Building Code, California Plumbing Code and California Mechanical Code

Location: (Citywide)

Recommendation: 1) Review 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 California Building Code; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted December 2, 2008.

Contact: Ed Short, Supervising Engineer, (916) 808-8859, Bob Chase, Chief Building Official, (916) 808-8024, Development Services Department.

Action: Approved recommendation.

7. (Pass for Publication) Franklin Point (P05-153)

Location: Southwest corner at the intersection of Franklin Blvd. and Mack Road (District 7)

Recommendation: 1) Review a) Resolution adopting the Mitigated Negative Declaration and approving the Mitigation Monitoring Plan; b) a Resolution approving the PUD Guidelines and Schematic Plan amendments; c) 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 d) an amendment to Ordinance 93-033 to eliminate a condition prohibiting the sale of beer and wine for off-site consumption; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted on December 2, 2008.

Contact: Kimberly Kaufmann-Brisby, Associate Planner, (916) 808-5590 Nedzlene Ferrario, Senior Planner, (916) 808-7826, Development Services Department.

Action: Approved recommendation.

8. Sewer Credit Approval: Duckhorn Village Project

Location: 3901 Duckhorn Drive (District 1)

Recommendation: Adopt a **Resolution** awarding a total of 56.25 Sacramento Regional County Sanitation District (SRCSD) connection fee credits to the project.

Contact: Trevor Walton, Project Specialist, (916) 808-6764, Economic Development Department.

Action: Adopted Resolution No. 2008-759.

9. Sewer Credit Approval: Reiner Subdivision Extension Project

Location: Reiner Way (District 1)

Recommendation: Adopt a **Resolution** awarding a total of 18.00 Sacramento Regional County Sanitation District (SRCSD) connection fee credits to the project.

Contact: Trevor Walton, Project Specialist (916) 808-6764, Economic Development Department.

Action: Adopted Resolution No. 2008-760.

10. Sewer Credit Approval: Value Place Hotel Project

Location: 7789 La Mancha Way (District 8)

Recommendation: Adopt a **Resolution** awarding a total of 60.88 Sacramento Regional County Sanitation District (SRCSD) connection fee credits to the project.

Contact: Trevor Walton, Project Manager, (916) 808-6764, Economic Development Department.

Action: Adopted Resolution No. 2008-761.

11. **Grant/Agreements: Participation in California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team**
Location: (Citywide)
Recommendation: Adopt a **Resolution** authorizing the City Manager, or his designee, to enter into Memorandum of Understanding as the sponsoring agency of a Federal Emergency Management Agency (FEMA) Urban Search and Rescue team (US&R), California Task Force Seven (CA TF-7) for training and potential deployment to disasters per FEMA instruction with 1) County of Sacramento – Airport System; 2) Roseville Fire Department; 3) FBA, Inc., 4) City of West Sacramento; 5) Sacramento Metropolitan Fire District; and 6) Greg Richards.
Contact: Ed Vasques, Assistant Chief, (916) 264-7522, Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department.
Action: Adopted Resolution No. 2008-762.
12. **Grant/Agreement: California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team’s Republican National Convention (RNC) Deployment (G12701500)**
Location: (Citywide)
Recommendation: Adopt a **Resolution:** 1) authorizing the City Manager, or his designee, to execute the agreement (EMW-2008-CA-1498, Amendment M002) accepting federal funding in the amount of \$42,000 for the California Task Force Seven (CA TF-7), Urban Search and Rescue; 2) establishing an operating grant; and 3) establishing an \$42,000 revenue and expenditure budget for the CA TF-7 US&R RNC Deployment.
Contact: Greta Ossman, Administrative Analyst, (916) 808-1010, Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department.
Action: Adopted Resolution No. 2008-763.
13. **Grant/Agreement: Accept Federal Funds for California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team’s Hurricane Ike Deployment (G12701700)**
Location: (Citywide)
Recommendation: Adopt a **Resolution** 1) authorizing the City Manager, or his designee, to execute the agreement (EMW-2008-CA-1498, Amendment M003) accepting federal funding in the amount of \$128,000; 2) establishing an operating grant; 3) establishing an \$128,000 revenue and expenditure budget; and 4) accepting all grant related expenditures to the operating grant for CA TF-7 US&R Hurricane Ike Deployment.
Contact: Greta Ossman, Administrative Analyst, (916) 808-1010, Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department.
Action: Adopted Resolution No. 2008-764.

14. Grant/Agreement: California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team's Hurricane Gustav Deployment (G12701600)

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager, or his designee, to execute the agreement (EMW-2008-CA-1498) accepting federal funding in the amount of \$56,000; 2) establishing an operating grant; and 3) establishing an \$56,000 revenue and expenditure budget for the CA TF-7 US&R Hurricane Gustav Deployment.

Contact: Greta Ossman, Administrative Analyst, (916) 808-1010, Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department.

Action: Adopted Resolution No. 2008-765.

15. Purchase/Cooperative Agreement: Electrical Supplies

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) approving the use of U.S. Communities Purchasing Alliance (U.S. Communities) cooperative contract MA-IS-43272-6 to purchase electrical supplies from Graybar Electrical in an amount not to exceed \$750,000 through January 31, 2010 or until the contract is no longer available for use; and 2) authorizing the City Manager or the City Manager's designee to execute purchases in the amount specified above provided that sufficient funds are available in the budgets adopted for the applicable fiscal years.

Contact: Craig Lymus, Interim Procurement Services Manager, (916) 808-5524, General Services Department.

Action: Adopted Resolution No. 2008-766.

16. Lease Agreement: Office Space at 1331 Garden Highway

Location: 1331 Garden Highway (District 1)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager or the City Manager's designee to execute a sixty-two (62) month lease with one five-year renewal option with Sierra Health Foundation for office space at 1331 Garden Highway; and 2) 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 lease agreement.

Contact: Rhonda R. Lake, Facilities and Real Property Superintendent, (916) 808-7902, Alan Boyd, Operations Manager, (916) 808-6077, General Services Department and Parks and Recreation Department.

Action: Adopted Resolution No. 2008-767.

17. Agreement: Cotton Lane for the Valley Hi/North Laguna Library Project (B13000800) (Continued from 11-18-08)

Location: 7320 Cotton Lane (District 8)

Recommendation: Adopt a **Resolution** authorizing the City Manager or the City Manager's designee to execute an agreement between the City of Sacramento and STL Company, LLC for: 1) reimbursement in the amount of \$750,000 from STL

Company, LLC to the City for roadway improvements necessary for construction of the project; 2) reimbursement from the City to STL Company, LLC in the amount of \$63,000 for the use of its approved engineering documents for the construction of Cotton Lane; and 3) amendment of the revenue and expenditure budgets for the project to reflect the reimbursement amount of \$750,000 (Fund 3702).

Contact: Kevin Love, Construction Manager, (916) 808-6818, Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

Action: Adopted Resolution No. 2008-768.

18. Lease Agreement: 4th "R" Child Care Program

Location: 5725-5735 47th Avenue (District 6)

Recommendation: Adopt a **Resolution** authorizing 1) the City Manager or City Manager's designee to execute a five-year lease with the Sacramento City Unified School District for office space for the 4th "R" Child Care Program; and 2) 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 lease.

Contact: David Mitchell, Recreation Manager, (916) 808-6076, Parks and Recreation Department.

Action: Adopted Resolution No. 2008-769.

19. Contract: Max Baer Park Project (L19106000)

Location: 7851 35th Avenue (District 6)

Recommendation: Adopt a **Resolution** 1) approving the contract specifications and awarding the contract to Parker Landscape Development, Inc. for the development of the project for an amount not to exceed \$396,790; 2) appropriating \$500,000 of Park Development Impact Fees (PIF), Fund 3204; and 3) authorizing the City Manager to execute the contract for the project.

Contact: J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Tin-Wah Wong, Associate Landscape Architect, (916) 808-5540, Parks and Recreation Department.

Action: Adopted Resolution No. 2008-770.

20. Agreement: Highway-Railroad Crossing Safety Account and Establishment of Capital Improvement Projects

Location: Downtown Railyards, Central City (District 1)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager or designee to execute an agreement with the California Transportation Commission and California Department of Transportation to continue work on the Track Relocation project and the initial phase of Railyards area infrastructure; and 2) establishing the 6th Street Extension Project (T15098800); and 3) establishing the 7th Street Extension Tunnel Project (T15098700).

Contact: Fran Halbakken, Operations Manager, (916) 808-7194, Transportation Department.

Action: Removed from Consent Calendar by staff. Moved, seconded, carried (Tretheway/McCarty) to adopt Resolution No. 2008-771 as amended.

21. October 2008 Monthly Investment Transactions Report

Location: (Citywide)

Recommendation: Receive and file.

Contact: Lydia Abreu, Investment and Operations Manager, (916) 808-7746, Shirley Tupaz, Investment Operations Analyst, (916)808-8295, Office of the City Treasurer.

Action: Received and filed.

22. Agreement: Drinking Water Quality Consultation Services (Z14001500/14001171)

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Manager to sign a professional services agreement with Water Quality & Treatment Solutions (WQTS), Inc., to provide drinking water quality regulatory consultation services for the City's municipal water supply in an amount not to exceed \$183,829 for the two year period.

Contact: Mike Yee, Plant Services Division Manager, (916) 808-5670, Roland Pang, Superintendent of Water and Sewer 808-1309, Utilities Department.

Action: Adopted Resolution No. 2008-772.

23. Agreement: FY2008/09 Budget of the Water Forum Successor Effort (WFSE)

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute the Interagency Agreement for Cost Sharing the funding of the FY2008/09 Budget of the Water Forum Successor Effort (WFSE) in the amount of \$923,520.

Contact: Kathy Howard, Administrative Analyst (916) 808-1995, Sarah Foley, Program Manager (916) 808-1997, Utilities Department.

Action: Adopted Resolution No. 2008-773.

Public Hearings (Items 24 and 25)

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

24. (City Council/Housing Authority) Southcrest Apartment Project (Noticed on 11-5-08)

Location: 7390 24th Street (District 8)

Recommendation: Conduct a public hearing and upon conclusion, adopt 1) a **City Resolution** a) indicating that the City Council has conducted a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing related to the proposed construction and permanent financing of the project, and b) approving the issuance of tax-exempt obligations; and 2) adopt a **Housing Authority Resolution** a) approving documents authorizing up to \$2,200,000 in tax-exempt bonds to finance the rehabilitation of the project, and b) authorizing the Interim Executive Director, or her designee, to execute all documents necessary to issue the bonds.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1319, Christine Weichert, Assistant Director, Housing and Community Development, (916) 440-1353, Sacramento Housing and Redevelopment Agency.

Action: No public comment. Moved, seconded, carried (Pannell/Waters) to close the public hearing and adopt City Resolution No. 2008-774 and Housing Authority Resolution No. 2008-019.

25. (Redevelopment Agency) 65th Street Redevelopment Plan Area Five-Year Implementation Plan Time Extension (Noticed on 11-5-08)

Location: 65th Street Redevelopment Project Area (Districts 3, 6)

Recommendation: Conduct a public hearing and upon conclusion adopt a **Redevelopment Agency Resolution** approving an amendment to the 65th Street Redevelopment Project Area Five-Year Implementation Plan.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1322, Chris Pahule, Assistant Director of Housing and Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency.

Action: No public comment. Moved, seconded, carried (Cohn/McCarty) to close the public hearing and adopt Redevelopment Agency Resolution No. 2008-082.

Staff Reports (Item 26)

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

26. (Redevelopment Agency) Orleans Hotel Restaurant

Location: 1022 Second Street, Old Sacramento Historic District (District 1)

Recommendation: Adopt a **Redevelopment Agency Resolution** a) authorizing the Executive Director or her designee to execute an Amendment to the Disposition and Development Agreement Dated October 17, 2007 and related legal documents with Old Sac Properties, LLC (Developer) to provide \$650,000 in assistance for restaurant tenant improvements in the newly constructed Orleans Hotel; 2) allocating \$650,000 of Merged Downtown Redevelopment tax increment funds to the Orleans Hotel Restaurant project; and 3) pledging project generated tax increment back to the project for a period of five years.

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

Action: Public comment given by Mike Testa and Michael Ault. Moved, seconded, carried (Tretheway/Cohn) to adopt Adopted Redevelopment Agency Resolution No. 2008-083.

Public Comments-Matters Not on the Agenda – None.

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments
 - 1. Youth Commission – Brandon Shea (D3)
- b. Reports Back
 - 1. Sheedy – requested resolution be placed on next week’s agenda supporting shopping local.
- c. Meeting/Conference Reports – None.

Recess – 2:30 p.m.

Reconvene – 6:00 p.m.

Roll Call- A regular meeting of the Sacramento City Council was reconvened by Mayor Fargo at 6:10 p.m. Tuesday, November 25, 2008 at the Sacramento City Hall Council Chamber. All members present.

Pledge of Allegiance – led by Mayor Fargo

Special Presentations/General Communications

- a. **Swearing In Ceremony for Council Districts 2, 4, 6 and 8.**
 - 1. District 2- Sandy Sheedy
 - 2. District 4- Robert King Fong
 - 3. District 6- Kevin McCarty
 - 4. District 8- Bonnie Pannell

Action: District 2- Sandy Sheedy, sworn in by Joe Wagstaff; District 4-Robert King Fong sworn in by Julius Cherry, District 6-Kevin McCarty sworn in by Jermain Gill, District 8- Bonnie Pannell sworn in by Pastor Curtis Mitchell.

Public Comments-Matters Not on the Agenda - None.

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments – None.
- b. Reports Back - None.
- c. Meeting/Conference Reports – None.

Adjourned at 6:48 p.m.

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

Shirley Concolino, City Clerk

Minutes

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

A regular meeting of the Sacramento City Council was called to order by Vice-Mayor Cohn at 2:07 p.m. Tuesday, December 2, 2008 at the Sacramento City Hall Council Chamber. All present.

Special Presentations/General Communications

a. **Race for Peace**

Action: Moved, seconded, carried (Hammond/Waters) to renew the City of Sacramento commitment to the "Mayor's for Peace" project with our Sister City Matsuyama, Japan.

b. **Resolution to Encourage "Local" Shopping**

Action: Continued to December 9, 2009

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.

Action: Moved, seconded, carried (Waters/Hammond) to adopt the Consent Calendar in one motion except as indicated.

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.

Action: Approved recommendation.

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.

Action: Adopted Resolution No. 2008-775.

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.

Action: Approved recommendation.

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.

Action: Moved, seconded, carried (Waters/Hammond; Noes-Sheedy) to adopt Resolution No. 2008-776.

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.

Action: Adopted Resolution No. 2008-777 as amended.

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.

Action: Adopted Ordinance No. 2008-056.

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.

Action: Adopted Resolution No. 2008-778.

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.

Action: Adopted Resolution No. 2008-779.

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.

Action: Adopted Resolution No. 2008-780. AG 2008-1094

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.

Action: Withdrawn by staff.

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.

Action: Received and filed.

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.

Action: Approved Recommendation.

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.

Action: Continued to December 9, 2008.

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.

Action: Adopted Resolution No. 2008-783.

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.

Action: Public comment given by Terry Davis, Ronald Stork and Mike Klein. Moved, seconded, (Sheedy/McCarty; Noes - Tretheway) to continue the item until the Rate Advisory Commission has heard it. Substitute motion (Pannell/Tretheway) to adopt staff recommendation. Motion withdrawn. Moved, seconded, carried (McCarty/Pannell) to close the public hearing and continue the item until the Rate Advisory Commission has heard it.

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.

Action: Public comment given by Mike Klein, Ronald Stork, Carol York, Dennis Rogers and Dr. Ernest Lehr. Moved, seconded, **failed** (Pannell/Tretheway; Noes – Cohn/Fong/McCarty/Sheedy) to approve a 3% water meter increase. Moved, seconded, carried (McCarty/Sheedy) to close the public hearing and continue the item until the Rate Advisory Commission has heard the item.

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.

Action: Received and filed.

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.

Action: Moved to the consent calendar. Adopted Resolution No. 2008-786.

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.

Action: Public comment given by Elmer McCleary and Shane Curry. Moved, seconded, carried (Sheedy/Fong) to adopt Redevelopment Agency Resolution No. 2008-084.

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.

Action: Moved, seconded, carried (Sheedy/Fong) to adopt City Resolution No. 2008-787 and Redevelopment Agency Resolution No. 2008-085.

Information Reports (Item 21)

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.

Action: Received and filed.

Public Comments-Matters Not on the Agenda – None.

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments – None.
- b. Reports Back - None.
- c. Meeting/Conference Reports – None.

Recess at 4:25 p.m. in memory of Amy Shiroma.

Reconvene – 6:00 p.m.

Roll Call- A regular meeting of the Sacramento City Council was reconvened by Mayor Johnson at 6:03 p.m. Tuesday, December 2, 2008 at the Sacramento City Hall Council Chamber. All present.

Pledge of Allegiance –led by Sandy Sheedy

Special Presentations/General Communications

a. **City Management Academy Graduation**

Action: Graduating class presented to Council by Vincene Jones, Director, Neighborhood Services.

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.

Action: Moved, seconded, carried (Waters/Hammond)to continue to January 6, 2009 at the request of the applicant.

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 Declaring Intent to Override the Airport Land Use Commission's Findings of Inconsistency, and continue the public hearing to January 20, 2009.

Contact: Tom Pace, Long Range Planning Manager, (916) 808-6848, Planning Department.

Action: Public comment given by Lisa Trankly, Karen McClaffin, Mike Barnbaum, Roxanne Fuentes, Mark Bachli, Joel Archer, Mel Billingsley, Jerry Vorpahl, Kevin Carter, Jeanie Wilcox, Judith Lamare, Jim Pachi, JD Rowell, Steven Lerman, Valerie Lerman, Jeane Burkenhagen, Robert Dalcia and Tina Thomas.

Moved, seconded, carried (Hammond/Cohn) to adopt Resolution No. 2008-791 Declaring Intent to Override the Airport L and Use Commission's Finding of Inconsistency and continue the public hearing to January 20, 2009.

Moved, seconded, carried (Cohn/Hammond) an intent motion directing staff to bring forward the changes to the 2030 General Plan and Master Environmental Impact Report as identified in the staff report and by Council and continue the public hearing for final Council action on January 20, 2009, including: a) designating the area bounded by N, Q, Interstate 5 and 7th Streets as Central Business District (except for the Crocker Museum and Crocker Park, which shall be designed as shown on page 21 of the main staff report) with the addition of staff's new policy on page 3 of the Supplemental Material; b) making finding of significance for global climate change and including staff's recommended mitigation measures in Attachment 4, Exhibits B and C, starting on page 55 of the Supplemental Material; c) revising the Final Master Environmental Impact Report to reflect the finding of significance of global climate change; d) working with the Attorney General to revise certain mitigation measures to address global climate change and identify City costs of implementing the Attorney General's recommended mitigation measures; e) including in future implementation ordinances a procedure to allow for additional floor area in exchange for various community benefits; and f) revising the Land Use and Urban Form Diagram to re-designate specified parcels near the intersection of 65th Street and Fruitridge Road from Traditional Neighborhood Low to Suburban Corridor.

Member Cohn left the dais and recused himself from discussion concerning the Hazardous Materials Policy.

Public comment given by Robert Waste, Tina Thomas and Jermain Gill. Moved, seconded, carried (Pannell/Fong: Absent (recused) - Cohn) to forward the staff's revised Hazardous Materials Policy for final action by Council on January 20, 2009.

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.
Action: Moved, seconded, carried (Pannell/Hammond) to continue to January 20, 2009.

Public Comments-Matters Not on the Agenda

- a. Darrell Lake – pedestrian safety in South Sacramento
- b. Jay Raj Narayan – the future of Sacramento
- c. Don Souza – ticketing in downtown and midtown hurting small business owners
- d. Mike Barnbaum – councilmember appointments to local/regional boards and commissions.
- e. Tim Boyd – importance of youth programs.

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments – None.
- b. Reports Back - None.
- c. Meeting/Conference Reports – None.

Adjourned at 8:30 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the December 2, 2008 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk

MINUTES

Tuesday, December 9, 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 Johnson at 2:03 p.m. Tuesday, December 9, 2008 at the Sacramento City Hall Council Chamber. Councilmember Kevin McCarty absent.

Special Presentations/General Communications

a. Resolution to Encourage “Local” Shopping

Action: Resolution Presented to Jeff Von Kaenal.

Consent Calendar (Items 1 - 31)

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.

Moved, seconded, carried (Waters/Cohn; Absent – McCarty) to adopt the Consent Calendar in one motion except as indicated.

1. (City Council/Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for November 18, 2008

Location: (Citywide)

Recommendation: Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for November 18, 2008.

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

Action: Approved recommendation.

2. Confirmation of Board and Commission Appointments

Location: (District 3)

Recommendation: Confirmation of board/commission appointments to the Sacramento Youth Commission – Joseph Brandon Shea (Category A-3).

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

Action: Approved recommendation.

3. Annual Report on Residential Hotels

Location: (Citywide)

Recommendation: Receive and file.

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

Action: Received and filed.

4. Agreement: Giraffe Habitat Project

Location: Sacramento Zoo (District 4)

Recommendation: Adopt a **Resolution** 1) approving and authorizing the City Manager or his designee to execute a Memorandum of Understanding ("MOU") with the Sacramento Zoological Society ("Zoo") for the grant of CRCIP bond proceeds to the Zoo for the construction of the project, and 2) approving the disbursement of \$200,000 in District Improvement CRCIP bond proceeds to the Zoo in accordance with the terms of the MOU.

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

Action: Adopted Resolution No. 2008-792.

5. Agreements: Fiscal Year (FY)2008/09 County Contributions to City Organizations

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager or his designee to execute agreements regarding contributions from Sacramento County for the FY2008/09 operations of the Sacramento Archives and Museum Collection Center; the Sacramento Metropolitan Arts Commission, the Sacramento History Museum, the Discovery Museum Science and Space Center, and the Sacramento Sports Commission and 2) approving a decrease in the FY2008/09 City Operating Budget for the Sacramento Metropolitan Arts Commission to reflect a reduction in funding from the County.

Contact: Karolyn Pelka, Administrative Officer, (916) 808-5898, Barbara E. Bonebrake, Director, Convention, Culture & Leisure, (916) 808-8225, Convention Culture and Leisure Department.

Action: Continued to January 13, 2009.

6. (Redevelopment Agency) Agreement: Extend Exclusive Right to Negotiate Agreement (ERN) with 1012 K Street, LLC

Location: 1012-1022 K Street, south side of K Street east of 10th Street, Central Business District (District 1)

Recommendation: Adopt a **Redevelopment Agency Resolution** authorizing the City Manager, acting on behalf of the Agency, to extend the term of the Exclusive Right

to Negotiate (“ERN”) with 1012 K Street, LLC for the Agency-owned properties at 1016-1022 K Street to April 30, 2009 and to June 30, 2009 for 1012 K Street.

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

Action: Adopted Redevelopment Agency Resolution No. 2008-086.

7. Supplemental Agreement: Business Operations Tax (BOT) Audit Services

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager or the City Manager’s designee to execute Supplemental Agreement No. 1 to City Agreement No. 2006-0789 with MuniServices, LLC, to allow continued Business Operations Tax processing services, and add BizLINK services for three years in an amount not to exceed \$120,000, and 2) resetting the City Manager’s approval authority.

Contact: Brad Wasson, Revenue Manager (916) 808-5844, Finance Department.

Action: Adopted Resolution No. 2008-794.

8. 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. 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, 808-6360; Cynthia Kranc, Facilities Manager, 808-2258, General Services Department.

Action: Adopted Resolution No. 2008-795.

9. Voluntary Separation Program

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) establishing the Voluntary Separation Program (VSP), and 2) applying the program to unrepresented employees; and 3) allowing recognized employee organizations to accept the program.

Contact: Geri Hamby, Director of Human Resources, 808-7173, Human Resources Department.

Action: Adopted Resolution No. 2008-796.

10. Agreement: Sacramento County for Assignment of Deputy Sheriffs

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Manager or City Manager's designee to execute a one-year agreement, with up to two one-year renewal options, with the County of Sacramento retroactive to July 1, 2008, for a total amount not to exceed \$477,147 for the assignment of deputy sheriffs to the Department of Parks and Recreation's Alternative Sentencing Program.

Contact: Daniel Giammona, Park Operations Manager, (916) 808-4070, Wally Cole, Administrative Officer, (916) 808-6203, Parks and Recreation Department.

Action: Adopted Resolution No. 2008-797.

11. Change Order: Fort Natomas at South Natomas Community Park (L19156200)

Location: 2921 Truxel Road (District 1)

Recommendation: Adopt a **Resolution** ratifying and authorizing Change Order No.1 to Contract 2008-220 with Biundo Landscape Construction in the amount of \$76,259.50 for the addition of a camera and lighting system to the new Fort Natomas Playground.

Contact: Jonathan Rewers, Analyst, (916) 808-7590, Parks and Recreation Department.

Action: Adopted Resolution No. 2008-798.

12. Grant: Tire-Derived Product Grant Program

Location: Hagginwood Park, 3271 Marysville Blvd. Council District 2; Strawberry Manor Park, 200 Danville Way (District 2)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager or designee to submit an application to the California Integrated Waste Management Board (CIWMB) for grant funding from the Tire-Derived Product (TDP) Grant Program in an amount not to exceed \$150,000 for the use of tire-derived products for playground surfacing at Hagginwood Park and Strawberry Manor Park; and 2) authorizing the City Manager or designee to execute the application, the standard CIWMB TDP Grant Program agreement, and all amendments, requests for payment and all grant documents necessary to secure the grant funds and implement the grant program, establish related revenue and expenditure budgets for the grant funds, and appropriate the grant funds contingent upon receipt of award, for a period of up to five (5) years.

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

Action: Adopted Resolution No. 2008-799.

- 13. Contract: North Natomas Regional Park Phase 3 - Dog Park (L19140000)**
Location: 4989 Natomas Boulevard (District 1)
Recommendation: Adopt a **Resolution** 1) approving and awarding the contract; and 2) authorizing the City Manager to execute the contract with Hemington Landscape Services to develop a dog park in the southwestern section of the regional park for an amount not to exceed \$326,178 for the project.
Contact: Steven Giguere, Associate Landscape Architect, (916) 808-8354; Gary Hyden, Supervising Landscape Architect, (916) 808-1949, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.
Action: Adopted Resolution No. 2008-800.
- 14. Grant: Gang Violence Suppression (GVS) Multi-Component Program**
Location: (Districts 4, 6 & 8)
Recommendation: Adopt a **Resolution** 1) authorizing the City Manager, or his designated representative, to accept on behalf of the City \$450,000 in GVS grant funding from the State of California, Office of Emergency Services (OES); 2) increasing the Police Department's Grant Operating and Grant Revenue budgets in the amount of \$450,000, and 3) authorizing the continuation of 1.0 Full Time Equivalent (FTE) Police Officer position funded from the GVS grant.
Contact: Darrell Fong, Captain, (916) 808-0301, William Champion, Lieutenant, (916) 808-0312, Police Department.
Action: Adopted Resolution No. 2008-801.
- 15. Ordinance: Change the Frequency of Community Racial Profiling Commission Meetings** (Passed for Publication on 12-2-08, Published on 12-5-08)
Location: (Citywide)
Recommendation: Adopt an **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.
Contact: Jim Maccoun, Captain, (916) 808-0417, Police Department.
Action: Adopted Ordinance No. 2008-058 as amended.
- 16. Grant: California Office of Traffic Safety Sobriety Checkpoint Program**
Location: (Citywide)
Recommendation: Adopt a **Resolution** 1) authorizing the City Manager, or his designated representative, to accept on behalf of the City \$145,700 in grant funding from the California Office of Traffic Safety (OTS) for the program; and 2) authorizing the City Manager, or his designated representative, to adjust the appropriate grant revenue and expenditure budgets to implement the \$145,700 program.
Contact: Gina Haynes, Lieutenant, (916) 808-0868, Police Department.
Action: Adopted Resolution No. 2008-802.

17. **Approval of Public Representative Appointment to the Sacramento Employment and Training Agency (SETA) Governing Board**
Location: (Citywide)
Recommendation: 1) Confirm the recommendation of the SETA Governing Board and approve the appointment of Ms. Sophia Scherman as a public representative to the SETA Governing Board for the current term ending November 2010; and 2) direct the City Clerk to return one certified copy of the approved letter to SETA.
Contact: Kathy Kossick, Executive Director, (916) 263-3810, SETA.

Action: Approved staff recommendation.
18. **Summary Vacation of the Irrevocable Offer of Dedication and a Portion of the Right of Way Adjacent to Freeport Boulevard**
Location: Parcel located between Interstate 5 and Freeport Boulevard and North of Stonecrest Avenue (District 7)
Recommendation: Adopt a **Resolution** 1) vacating the 200 foot Irrevocable Offer of Dedication; and 2) vacating a 90 foot public right-of-way located east of Freeport Boulevard.
Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918; Thomas Adams, Engineering Technician, (916) 808-7929, Transportation Department.

Action: Adopted Resolution No. 2008-803.
19. **Summary Vacation of a Portion of the Alleyway Bounded Between 7th Avenue, 9th Avenue, 35th and 37th Streets**
Location: Alleyway located between 7th Avenue, 9th Avenue, 35th Street and 37th Street (District 5)
Recommendation: Adopt a **Resolution** vacating the public alleyway between 7th Avenue, 9th Avenue, 35th and 37th Streets.
Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918, Thomas Adams, Engineering Technician, (916) 808-7929, Transportation Department.

Action: Adopted Resolution No. 2008-804.
20. **Agreements: R Street Improvements Project, 10th Street to 13th Street (T15056200)**
Location: R Street -10th Street to 13th Street (District 4)
Recommendation: Adopt a **Resolution** authorizing the City Manager to execute two Memoranda of Understanding with the Capitol Area Development Authority (CADA) and amend the FY08/09 Capital Improvement Program to appropriate \$1,485,000 (Fund 3701) to match the Federal Demonstration Funds and the SACOG Community Design Funds that will be provided for construction.
Contact: Zuhair Amawi, Associate Civil Engineer, (916) 808-7620; Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.

Action: Adopted Resolution No. 2008-805.

21. **Contract: 9th and 10th Streets City Two-Way Conversion Project (T15008003)**
Location: 9th Street between E and H Streets, and 10th Street between E and I Streets (District 1)

Recommendation: Adopt a **Resolution** 1) approving plans and specifications for the project; and 2) awarding the construction contract to M&M Electric to convert 9th Street between E and H Streets, and 10th Street between E and I Streets from one-way to two-way operations for an amount not to exceed \$74,451.

Contact: Kaleb Haile, Senior Engineer, (916) 808-7020; Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.

Action: Removed from consent calendar by Councilmembers Cohn and Waters. Moved, seconded, carried (Waters/Cohn; Absent – McCarty) to adopt Resolution No. 2008-806.

22. **Change Order: South Watt Avenue/Fruitridge Road Traffic Signal and Intersection Improvements Project (T15058800)**
Location: Intersection of South Watt Avenue and Fruitridge Road (District 6)

Recommendation: Adopt a **Resolution** 1) authorizing and directing the City Manager to execute Change Order No. 1 to Contract 2008-186 with Teichert Construction to compensate the contractor for an increase in various bid item quantities in the amount of \$83,683, and 2) resetting the City Manager's change order authority.

Contact: Faramarz Ansari, Associate Civil Engineer, (916) 808-1166, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.

Action: Adopted Resolution No. 2008-807.

23. **Contract: 20th/28th Street Union Pacific Railroad Crossing Project (T15058201)**
Location: On 20th Street at the Union Pacific Railroad (UPRR) crossing just north of C Street (District 3)

Recommendation: Adopt a **Resolution** 1) approving the construction contract with Union Pacific Railroad for reimbursement for design and construction of all improvements within their right-of-way to implement a train horn quiet zone for an amount of \$520,899; and 2) authorizing the City Manager to execute a contract for the project.

Contact: Matthew Johns, Assistant Engineer (916) 808-5760, Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.

Action: Adopted Resolution No. 2008-808.

24. **Contract: 13th Street and 16th Street Light Rail Station Connectivity Improvements Project (T15048000)**
Location: Various Streets around 13th Street and 16th Street Light Rail Stations (District 4)

Recommendation: Adopt a **Resolution** 1) approving plans and specifications; and 2) awarding the contract to C & C Construction to remove and reconstruct sidewalks, install truncated domes and guide tiles, upgrade curb ramps, and install street lights at various Streets leading to the 13th Street and 16th Street Light Rail Stations in an amount of \$124,030.

Contact: Faramarz Ansari, Associate Civil Engineer, (916) 808-1166, Tim Mar, Supervising Engineer, (916) 808-7914, Transportation Department.

Action: Adopted Resolution No. 2008-809.

25. **Bridge Maintenance Program Consolidation of Projects and Transfer of Funds**
(Continued from 12-2-08)
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 Repair Projects (R15092300); 3) transferring \$370,000 (Fund 2005) from the Bridge Renovation Project (T15048900) to the HBP - Preventative Bridge Maintenance Repair Projects (R15092300); 4) appropriating \$460,000 from Measure A Construction Contingency (Fund 2001) to the HBP - Preventative Bridge Maintenance Repair Projects (R15092300); and 5) transferring any remaining balances to the Local - Preventative Bridge Maintenance Repair Projects (R15092400) 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.

Action: Withdrawn by staff.

26. **2008-09 Allocation of Proposition 1B Local Street and Road Funds to Projects**
Location: Various locations in the City for the Street Overlays and Seals Program; Sacramento Intermodal Facility Track Relocation – (District 1); Ramona Avenue Extension – (Districts 3 and 6); Sacramento City College/Curtis Park Village Pedestrian Overcrossing – (District 4)

Recommendation: Adopt a **Resolution** authorizing the City Manager to submit 1) Sacramento Intermodal Facility Track Relocation Project (T15029005) – \$3,500,000; 2) Ramona Avenue Extension (T15018400) – \$1,500,000; 3) Sacramento City College/Curtis Park Village Pedestrian Overcrossing (T15065700) – \$1,447,680; and 4) Street Overlays and Seals Program (R15072000) – \$500,000 to the State Department of Finance to receive \$6,947,680 in 2008-09 Proposition 1B Local Street and Road Funds.

Contact: Nicholas Theocharides, Engineering Manager, (916) 808-5065, Fran Halbakken, Operations Manager, (916) 808-7194, Transportation Department.

Action: Adopted Resolution No. 2008-810.

27. Contract: Fremont Area Sewer Rehabilitation – Phase 1 (X14010034)

Location: Bounded by 5th St, Fremont Way, Muir Way & McClatchy Way (District 4)

Recommendation: Adopt a **Resolution** 1) approving the contract specifications; and 2) awarding the contract to Pipenology Inc. to systematically line the sewer pipelines to prevent further sinkholes from forming and restore the pipes to a like-new condition for an amount not to exceed \$265,740.

Contact: David L. Brent, Engineering Manager 808-1420; Richard Batha, Supervising Engineer, 808-1448, Utilities Department.

Action: Adopted Resolution No. 2008-811.

28. Contract: Commercial Meter Retrofit Project (Z14000200)

Location: Various commercial properties in the City (Districts 1,2,3,4 & 6)

Recommendation: Adopt a **Resolution** 1) approving the contract plans and specifications for the Commercial Meter Retrofit Project; and 2) awarding the contract to Florez Paving to install 134 meters on unmetered commercial services within the project area for an amount not to exceed \$149,510.

Contact: Michael Malone, Field Services Manager, (916) 808-6226, Craig Robinson, Water Distribution Superintendent, (916) 808-7334, Utilities Department.

Action: Adopted Resolution No. 2008-812.

29. Multiple Green Waste Processors [2/3 Vote Required]

Location: (Citywide)

Recommendation: Adopt a **Resolution** suspending competitive bidding to allow staff to issue an invitation for bids to provide green waste processing services with the potential to award contracts to multiple bidders.

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

Action: Adopted Resolution No. 2008-813.

30. Amended Labor Agreement in the Fire Department Unit

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) repealing the Employer-Employee Relations Policy (97-400 and 93-018); 2) adopting the Employer-Employee Relations Policy moving the Fire Battalion Chiefs from the unrepresented Exempt Management Unit (RU01) to the represented Fire Department Unit (RU05); 3) amending the collective bargaining agreement with the Sacramento Area Fire Fighters Local 522 to cover the Fire Battalion Chiefs within the Fire Department Unit; and, 4) approving the salary schedule applicable to the newly represented classification of Fire Battalion Chief.

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

Action: Withdrawn.

31. Appropriation of Special Tax Revenue, CFD 2006-02

Location: North Natomas (District 1)

Recommendation: Adopt 1) a **Resolution** appropriating \$2,244,930 from collected Mello-Roos taxes to allow for the reimbursement of the developer costs; and 2) authorizing the creation of Project Number J22003600 to maintain accountability over the provision of the reimbursement arrangement with the landowner.

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

Action: Adopted Resolution No. 2008-814.

Public Hearings (Items 32 and 33)

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

32. Housing Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 10-30-08)

Location: (Citywide)

Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** placing special assessment liens on the properties in the amount of \$649,052 for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

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

Action: Public comment given by Julie Berrey. Moved, seconded, carried (Sheedy/Tretheway; Absent - McCarty) to close the public hearing and adopt Resolution No. 2008-815 as amended.

33. Code Enforcement Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 10-30-08)

Location: (Citywide)

Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** placing liens on the properties in the amount of \$133,051 for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties

Contact: Dennis Kubo, Program Manager, (916) 808-8577, Code Enforcement Department.

Action: No public comment. Moved, seconded, carried (Sheedy/Tretheway; Absent – McCarty) to close the public hearing and adopt Resolution No. 2008-816.

Staff Reports (Items 34 - 38)

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

34. City Attorney Annual Report (To Be Delivered)

Location: (Citywide)

Recommendation: Receive and File.

Contact: Eileen Teichert, City Attorney, (916) 808-5346, Office of the City Attorney.

Action: Withdrawn.

35. Sacramento Yacht Charters Agreements Termination

Location: Old Sacramento Historic District (District 1)

Recommendation: Adopt a **Resolution** terminating City Agreements 2006-1306 (Sacramento Riverfront Charter Vessel) and 2006-1307 (Sacramento Riverfront Historic Tour Boats Water Taxis Amphibious Trolleys) between Sacramento Yacht Charters, LLC and the City of Sacramento.

Contact: Cassandra Jennings, Assistant City Manager (916) 808-5704, Office of the City Manager.

Action: Withdrawn.

36. Federal Emergency Management Agency Update [Oral Report]

Location: (Citywide)

Recommendation: Receive and file.

Contact: Marty Hanneman, Deputy City Manager, (916) 808-7508, Bill Busath, Supervising Engineering, (916) 808-1434, Office of the City Manager and Utilities Department.

Action: Received and filed.

37. (Redevelopment Agency) Acquisition of Parcels on Franklin Boulevard and 21st Avenue

Location: 4609 Franklin Boulevard (APN 020 0261 001), 4601, Franklin Boulevard. (APN 020 0261 003), Franklin Boulevard (APN 020 0261 002), 21st Avenue (APN 020 0261 004), 3200 21st Avenue (APN 020 0262 001), 3160 21st Avenue (APN 020 0261 006), 4620 32nd Street (APN 020 0261 007), and 4611 32nd Avenue (District-5)

Recommendation: Adopt a **Redevelopment Agency Resolution** authorizing the Executive Director to 1) set just compensation as fair market value as established by independent appraisals, and 2) amend the 2008 Sacramento Housing and Redevelopment Agency budget to transfer \$1.7 million of Franklin Boulevard non-housing tax increment funds to the project to fund all actions necessary to purchase the properties.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1319, Chris Pahule, Assistant Director, Housing and Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency.

Action: Moved, seconded, carried (Hammond/Tretheway; Absent - McCarty) to adopt Redevelopment Agency Resolution No. 2008-087.

38. Public Housing & Riverview Plaza Non-Smoking Facility Policy

Location: (Citywide)

Recommendation: Receive and file.

Contact: Cecette Hawkins, Management Analyst, 916-440-1399 Ext, 1421, Nick Chhotu, Assistant Director of Housing, 916-440-1334, Sacramento Housing and Redevelopment Agency.

Action: Received and filed.

Information Reports (Item 39)

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

39. Notification of Final Map and Subdivision Improvement Agreement for Brown Philipps Court (P04-258)

Location: (District 2)

Recommendation: Receive and file.

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

Action: Received and filed.

Public Comments-Matters Not on the Agenda

- a. Robert Ramirez – racial discrimination by Police Department.

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments – None.
- b. Reports Back – None.
- c. Meeting/Conference Reports – None.

Closed Session

City Council

- a) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Mauck v. City of Sacramento, Sacramento County Superior Court Case No. 05AS00265.
- b) Pursuant to Government Code section 54956.9 (c), pertaining to the initiation of litigation. One potential case.

Redevelopment Agency of the City of Sacramento

- c) Pursuant to Government Code Section 54956.8 for a matter pertaining to real property negotiations. Authorization to negotiate with The Trinity Housing Foundation for the acquisition of real property located at 729 L Street (APN 006-0096-012), in Sacramento, California. The purpose is to confer with the Agency's chief negotiators, LaShelle Dozier, Lisa Bates, Jim Hare, John Dangberg, and Leslie Fritzsche regarding the price, terms and conditions of the acquisition.

Recess to Closed Session – 2:45 p.m.

Reconvene – 6:00 p.m.

Roll Call - A regular meeting of the Sacramento City Council was called to order by Mayor Johnson at 6:00 p.m. Tuesday, December 9, 2008 at the Sacramento City Hall Council Chamber. Councilmember McCarty absent.

Pledge of Allegiance – led by Lauren Hammond.

Closed Session Report – None.

Staff Reports (Item 40)

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

40. **Parks and Recreation Safety Plan (PSIP) Section 5: Financing**

Location: (Citywide)

Recommendation: Adopt 1) a **Resolution** adopting "Section 5: Financing" as an addendum to PSIP including the recommendations contained therein related to: a) a "premier level" park development standard for PSIP projects, b) establishing Tier III level projects, c) funding transfers and reprogramming, d) fund appropriation, and e) financing priorities; 2) a **Resolution** a) authorizing staff to submit to the California Department of Parks and Recreation ("CDPR") an application for a Land and Water Conservation Fund ("LWCF") grant in an amount up to \$150,000 for the Chorley Park Development project; 3) a **Resolution** a) authorizing the City Manager or designated appointee to execute the required CPDR LWCF grant contract, including any amendments thereto, any and all other documents required or deemed necessary or appropriate to secure a LWCF grant from CDPR, to establish related revenue and expenditure budgets for the grant funds, and to appropriate the grant funds, contingent upon approval of the application; and 4) require staff to return to Council if there is any significant change in requested dollar amounts, either grant or match.

Contact: Jonathan Rewers, Parks and Recreation Analyst, (916) 808-7590, Parks and Recreation Department.

Action: Public comment given by Mark Rentz, Dustin Littreu and Jaclyn Hopkins. Moved, seconded, carried (Sheedy/Hammond; Absent – McCarty) to adopt Resolution No. 2008-817.

Public Comments-Matters Not on the Agenda

- a. Don Souza – Corruption in the private sector big business
- b. Mary Bruck – City of Sacramento Animal Care Concerns
- c. Lynn Madison - City of Sacramento Animal Care Concerns
- d. Ted Sorich - City of Sacramento Animal Care Concerns
- e. Beckyk Maclay – City of Sacramento Animal Care Concerns
- f. Melinie Diluck – City of Sacramento Animal Care Concerns
- g. Dia Goode - City of Sacramento Animal Care Concerns
- h. Kevin Carter – the gold corn and acknowledgement of history
- i. Tim Boyd – racial profiling by Sacramento PD in Del Paso Heights

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments – None.
- b. Reports Back
 - 1. Johnson – animal control issue report back to full council
 - 2. Johnson – city manager to bring recommendation to council in January regarding the best process for a financial and operational diagnostic review of the budget.
 - 3. Johnson – asked council to offer their comments for revisions to the Council Rules of Procedure and asked that it be agendaized in January for discussion.
- c. Meeting/Conference Reports – None.

Adjournment – 7:15 p.m. in memory of Arthur Webb.

This is to certify that the foregoing is a true and correct copy of the minutes of the December 9, 2008 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk