



## REPORT TO COUNCIL City of Sacramento

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

CONSENT  
September 26, 2006

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, Redevelopment Agency, Housing Authority for September 12, 2006.

**Contact:** Shirley Concolino, City Clerk, (916) 808-7200

**Presenters:** None

**Department:** City Clerk

**Division:** None

**Organization No:** 0700

**Financial Considerations:** None.

**Environmental Considerations:** None.

**Policy Considerations:** None.

**ESBD Considerations:** Not Applicable.

Respectfully Submitted by: *Shirley Concolino*  
Shirley Concolino, City Clerk

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

**CITY COUNCIL**

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

**Minutes**

**Tuesday, September 12, 2006**

**City Hall-915 I Street, 1<sup>st</sup> Floor Council Chamber**

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

**CHARTER OFFICERS**

Eileen Teichert, City Attorney  
Shirley Concolino, City Clerk  
Ray Kerridge, City Manager  
Tom Friery, City Treasurer

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**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. (25 cents per page)

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# MINUTES

**Tuesday, September 12, 2006**

***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- 12:00 noon**

**Roll Call – 12:06 p m.** Cohn absent.

**Closed Session (Read Closed Session Items – ask for public comment - 3 minute maximum)**

## **Recess to Closed Session**

### **City Council**

- a. Pursuant to Government Code Section 54956.9 (a), for a matter pertaining to pending litigation: 65th Street Village, LLC v. City of Sacramento, et al, Sacramento Superior Court Case No. 05CS01107.
- b. Pursuant to Government Code Section 54956.9 (c), pertaining to the initiation of litigation. One potential case.
- c. Pursuant to Government Code Section 54956.9 (a), for a matter pertaining to pending litigation: Everett Romo v. City of Sacramento; Worker's Compensation Appeals Board Case Nos.: SAC 246553, SAC 246554.
- d. Pursuant to Government Code Section 54956.9 (a), for a matter pertaining to pending litigation: Service Employees International Union, et al. v. City of Sacramento, et al, Sacramento Superior Court Case No. 06CS00026.

## **Reconvene to Open Session – 2:00 p.m.**

**Roll Call – 2:05 p.m.** Kevin McCarty absent.

### **Closed Session Report**

**Action:** None

The City Attorney shall determine if any actions taken by the City Council or legislative bodies in Closed Session shall require a reporting on those actions as required by Law (Government Code §54957.1 (a) (3) (B)).

## **Special Presentations/General Communications**

### **a. Recognition and Introduction of Visiting Delegates from China.**

**Action:** Introduction of delegation made by Brooks Ohlson.

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

### **Consent Calendar (Items 1 -16)**

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

**Action:** Moved, seconded, carried (Waters/Pannell; Absent - McCarty) to adopt the Consent Calendar in one motion except as indicated.

#### **1. (City Council/Redevelopment Agency/Housing Authority) Approval of Minutes for August 29, 2006**

**Location:** (Citywide)

**Recommendation:** Approve afternoon and evening City Council, Redevelopment Agency and Housing Authority Minutes for August 29, 2006.

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

**Action:** Approved recommendation.

#### **2. Confirmation of Board and Commission Appointments**

**Location:** (Districts 2, 4)

**Recommendation:** Confirmation of the following: 1) North Sacramento Redevelopment Advisory Committee – Erik Clark (Category B); and 2) Sacramento Youth Commission – Chris Kaiser-Nyman (Category A).

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

**Action:** Approved recommendation.

#### **3. Open Application Period for Various Boards/Commissions/Committees**

**Location:** (Citywide)

**Recommendation:** Open an application period for the following: 1) 65<sup>th</sup> Street Redevelopment Advisory Committee to fill one (1) position, opening on September 13, 2006 with applications due on October 13, 2006; 2) Sacramento Army Redevelopment Advisory Committee to fill two (2) positions, opening September 13, 2006 with applications due on October 13, 2006; 3) Development Oversight Commission to fill three (3) positions, opening September 15, 2006 with applications due on October 13, 2006.

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

**Action:** Approved recommendation.

**4. Agreement: Human Rights/Fair Housing Commission**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** authorizing the City Manager to execute the Human Rights/Fair Housing Commission agreement for Fiscal Year (FY) 2006-2007.

**Contact:** Aaron Chong, Sr. Management Analyst, (916) 808-6762, Finance Department.

**Action:** Adopted Resolution No. 2006-674.

**5. Agreement: Workers' Compensation Claims Software Upgrade [2/3 Vote Required]**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution:** 1) suspending competitive bidding; and 2) authorizing the City Manager to execute an agreement with GenSource for a workers' compensation software program upgrade and maintenance term of thirty six (36) months with the City's option to renew for two (2), twelve (12) month periods at a cost not to exceed \$367,205 for the initial three (3) years.

**Contact:** Patrick Flaherty, Risk Manager, (916) 808-8587, Human Resources Department.

**Action:** Adopted Resolution No. 2006-675.

**6. Agreement: Purchase of Containers**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** authorizing the City Manager to approve the purchase of containers by Solid Waste through a cooperative purchasing agreement with Houston Galveston Association of Cities for an amount not to exceed \$250,000.

**Contact:** Marty Strauss, Integrated Waste Planning Superintendent, (916) 808-4934, Department of Utilities.

**Action:** Adopted Resolution No. 2006-676.

**7. Contract: Natomas Boulevard Widening Project – Phase II (PN: TR97)**

**Location:** Natomas Boulevard between New Market Drive and North Park Drive. (District 1)

**Recommendation:** Adopt a **Resolution** 1) approving the contract plans and specifications for the project; 2) awarding the contract to McGuire and Hester for an amount not to exceed \$954,471; and 3) authorizing the City Manager to execute the contract.

**Contact:** Zuhair Amawi, Associate Civil Engineer, (916) 808-7620; Jon Blank, Supervising Engineer, (916) 808-7914.

**Action:** Adopted Resolution No. 2006-677.

**8. Change Order: McKinley Park Rose Garden Project (CIP: LT88)**

**Location:** 3330 McKinley Blvd. (District 3)

**Recommendation:** Adopt a **Resolution:** 1) authorizing the City Manager to execute Change Order #3 to Contract 2005-052 with Artwork Unlimited in the amount of \$60,000 to design and fabricate six custom metal rose arbors for the project; and 2) appropriating \$21,000 from Park Impact Fee (PIF), Fund 791, to the project.

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

**Action:** Adopted Resolution No. 2006-678.

**9. Del Paso Boulevard Business Improvement Area (BIA) Annual Budget**

**Location:** (District 2)

**Recommendation:** Adopt a **Resolution** to approve the FY 2006/2007 budget for the Del Paso Boulevard BIA.

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

**Action:** Moved, second, carried (Waters/Pannell, Absent – McCarty, Abstain – Fargo/Sheedy) to adopt Resolution No. 2006-679.

**10. Summary Vacation**

**Location:** Segment of 7th Street bounded by "E" Street and the alley between "E" Street and "F" Street (District 1)

**Recommendation:** Adopt a **Resolution** vacating the segment of 7th Street bounded by "E" Street and the alley between "E" Street and "F" Street subject to the conditions in the Resolution and reserving to the City a public service easement over the segment of 7th Street that is vacated.

**Contact:** Jerry Lovato, Senior Engineering Technician, (916) 808-7918; Thomas Adams, Engineering Technician, (916) 808-7929, Development Services Department.

**Action:** Adopted Resolution No. 2006-680.

**11. Coordinated Monitoring Program (PN: WM66)**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** 1) authorizing payment of the City's share of costs for participation in the Coordinated Monitoring Program with the Sacramento Regional County Sanitation District and the Sacramento County Water Agency for \$68,781 for Fiscal Year 2004-2005, \$65,550 for Fiscal Year 2005-2006 and approximately \$75,000 and \$80,000 for Fiscal Years 2006-2007 and 2007-2008 for a total not to exceed amount of \$289,331 in accordance with the provisions of interagency MOUs executed in 1994 and 2003.

**Contact:** David Brent, Division Manager, (916) 808-1420; Bill Busath, Supervising Engineer, (916) 808-1434, Utilities Department.

**Action:** Adopted Resolution No. 2006-681.

- 12. (Pass for Publication) Swanston Light Rail Station Interim Ordinance (M06-050)**  
**Location:** Area roughly bounded by Erickson Street to the west, El Camino Ave to the north, Business 80 to the east, and Arden Way to the south (Districts 2 and 3)  
**Recommendation:** 1) Review an Interim Ordinance establishing a Special Permit Requirement for Commercial Use or Industrial Use Development within a Segment of the Proposed Swanston Station Transit Village Plan Area; and 2) pass for publication as required by Sacramento City Charter 32c to be adopted on September 19, 2006.  
**Contact:** Brian Abbanat, Associate Planner, (916) 808-7584; Fedolia "Sparky" Harris, Senior Planner, (916) 808-2996, Planning Department.  
**Action:** Adopted recommendation.
- 13. Northern California Regional Public Safety Training College Joint Powers Authority**  
**Location:** Sacramento Region  
**Recommendation:** Adopt a **Resolution** approving the Northern California Regional Public Safety Training College (NCRPSTC) – Joint Powers Authority (JPA) FY 06-07 Budget in the amount of \$5,404,524.  
**Contact:** Rick Martinez, Executive Director, (916) 566-2433, Joint Powers Authority.  
**Action:** Adopted Resolution No. 2006-682.
- 14. Grant: Acceptance of Unencumbered Funds**  
**Location:** Sacramento Regional Urban Area  
**Recommendation:** Adopt a **Resolution** 1) accepting up to \$5,876,655, if awarded, in grant funding from the State of California Governor's Office of Homeland Security; and 2) increasing the Police Department's Grant Operating and Grant Revenue budgets, if awarded, by \$5,876,655.  
**Contact:** Milt Nenneman, Lieutenant, (916) 264-5696, Police Department.  
**Action:** Adopted Resolution No. 2006-683.
- 15. Grant: Sacramento Regional Urban Area Security Initiative (UASI) Funding**  
**Location:** Sacramento Regional Urban Area  
**Recommendation:** Adopt a **Resolution** 1) accepting \$5,912,000 in grant funding from the State of California Governor's Office of Homeland Security; and 2) increasing the Police Department's Grant Operating and Grant Revenue budgets by \$5,912,000.  
**Contact:** Milt Nenneman, Lieutenant, (916) 264-5696, Police Department.  
**Action:** Adopted Resolution No. 2006-684.

**16. (City Council/Redevelopment Agency) Reallocation of Capitol Improvement Project Funds**

**Location:** Merged Downtown Redevelopment Area (Council District 1, 2, and 3) and Richards Blvd. Redevelopment Area (Council District 1)

**Recommendation:** Adopt a **City Resolution** and a **Redevelopment Agency Resolution** reallocating the Capital Improvement Project (CIP) funds to the Downtown Predevelopment Services Project (KC67) by \$311,690 and the Richards Boulevard Predevelopment Services Project (KC66) by \$38,908.

**Contact:** Nicole York-Johnson, Administrative Officer, 808-8646; Leslie Fritzsche, Downtown Development Manager, (916) 808-5450, Economic Development Department.

**Action:** Adopted City Resolution No. 2006-685 and Redevelopment Agency Resolution 2006-050.

**Public Hearings (Items 17 and 18)**

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

**17. Sacramento Area Flood Control Agency (SAFCA) Bond Anticipation Notes**

(Noticed 9-1-06)

**Location:** Natomas Basin (District 1)

**Recommendation:** Conduct a public hearing and upon conclusion adopt 1) a **Resolution** approving the proposed financing of flood control projects by SAFCA and determining that there are significant public benefits to the citizens of the City; and 2) a **Resolution** authorizing the appropriation of \$5 million of the General Fund Reserve for Disaster Recovery for the purchase of Bond Anticipation Notes (BANS) issued by SAFCA.

**Contact:** Janelle Gray, Public Finance and Banking Manager, (916) 808-8296, Office of the City Treasurer.

**Action:** No public comment. Moved, seconded, carried (Tretheway/Cohn; Absent - McCarty) to close the public hearing and adopt Resolution Nos. 2006-686 and 2006-687

**18. Annexation No. 30 to the Neighborhood Landscaping District (Noticed on 7-26-06)**

**Location:** South Sacramento – Franklin Boulevard and Calvine Road (District 8)

**Recommendation:** Conduct a public hearing and upon conclusion 1) direct staff to count the ballots and return later during the meeting with the results; and if ballots affirm adopt a **Resolution** a) approving the Engineer's Report; b) ordering the annexation of territory; c) confirming and levying an assessment to pay for maintenance of improvements; and d) recording a copy of assessments with the County Recorder.

**Contact:** Ron Wicky, Program Specialist, (916) 808-5628; Mark Griffin, Fiscal Manager, (916) 808-8788, Planning Department.

**Action:** No public comment. Moved, seconded, carried (Pannell/Hammond; Absent - McCarty) to close the public hearing and direct staff to count ballots; moved, seconded, carried (Pannell/Hammond, Absent – McCarty) to declare the results and adopt Resolution No. 2006-688. There were 11,330 ballots counted; all ayes.

### **Staff Reports (Items 19 and 20)**

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

**19. Design Review Report Back: Commercial Corridors (M06-048)**

**Location:** (Citywide)

**Recommendation:** Provide feedback and recommendations to staff on potential expansion of design review to major commercial corridors in the city

**Contact:** Luis R. Sanchez, AIA, Design Review Director, (916) 808-5957; William Crouch, Urban Design Manager, (916) 808-8013; and David Kwong, Current Planning Manager, (916) 808-2691, Development Services Department.

**Action:** Council directed staff to look at timelines, staffing costs, the role, and scope of responsibility of the Design Review Commission, and to return with alternatives.

**20. Design Review Report Back: Citywide Residential Design Review (M06-049)**

**Location:** (Citywide)

**Recommendation:** Provide feedback and recommendations to staff on citywide residential design review.

**Contact:** Luis R. Sanchez, AIA, Design Review Director, (916) 808-5957; William Crouch, Urban Design Manager, (916) 808-8013; and David Kwong, Current Planning Manager, (916) 808-2691, Development Services Department.

**Action:** Council directed staff to look at timelines, staffing costs, the role, and scope of responsibility of the Design Review Commission, and to return with alternatives.

### **Information Reports (Items 21 and 22)**

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

**21. Notification of Final Map and Subdivision and Improvement Agreement for 4<sup>th</sup> Avenue Lofts (P04-262)**

**Location:** Southeast corner of 4<sup>th</sup> Avenue and 35<sup>th</sup> Street (District 5)

**Recommendation:** Receive and file.

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

**Action:** Received and filed.

**22. Notification of Final Map and Subdivision and Improvement Agreement for Villa Terrassa (P03-132)**

**Location:** West side of Franklin Boulevard north or Armadale Way (District 8)

**Recommendation:** Receive and file.

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

**Action:** Received and filed

**Public Comments- Matters Not on the Agenda**

- a. None.

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

- a. **Board/Commission Appointments by Mayor Fargo** - None.
  
- b. **Report Backs**
  - 1. Sheedy - report back within 30 days on the status of the dispatcher shortage
  - 2. Sheedy – feasibility of adopting an ordinance establishing a firefighters bill of rights
  - 3. McCarty – asked that Law and Legislation Committee review Proposition 87
  - 4. Waters – amend current sign ordinance to disallow signs less than 4 feet by 4 feet to be on the inside OR outside of business windows.
  
- c. **Meeting/Conference Reports** - None.

**Recessed** – 3:15 p.m.

**Reconvene** – 5:00 p.m.

**Roll Call** – 5:05 p.m. Councilmembers Fong and Tretheway absent.

**Pledge of Allegiance** – led by Councilmember Hammond

**Special Presentations/General Communications**

a. **Dedication of the City Hall Art Gallery**

**Action:** Resolutions Presented to Kim Curry, Jan Geiger, Nancy Gothard, and Don Saronce.

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

**Public Comments- Matters Not on the Agenda**

- a. None.

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

- a. Board/Commission Appointments by Mayor Fargo - None
- b. Report Backs - None
- c. Meeting/Conference Reports - None

**Adjourned** – 5:18 p.m.

