REPORT TO COUNCIL
City of Sacramento

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

CONSENT
December 12,2006

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 and Financing Authority for November 28, 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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Minutes

Tuesday, November 28, 2006

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

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

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

CHARTER OFFICERS

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

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken (3 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the end of the meeting as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160).

Speaker slips are located in racks inside the chamber and should be completed and submitted to the City Clerk.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order of Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The Agenda provides a general description and staff recommendations; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City's website and include all attachments and exhibits. "To Be Delivered" and "Supplemental" reports will be published as they are received. Hard copies are available at the Office of the City Clerk. (25 cents per page)

Meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. (Check Listings)

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MINUTES

Tuesday, November 28, 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 – 12:05 p.m.

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 54957 for an item pertaining to personnel matters. Performance appraisal of the City Clerk.**

b) **Pursuant to Government Code section 54956.9(a), for a matter pertaining to pending litigation: Mauck v. City of Sacramento, et al., Sacramento Superior Court Case No. 05AS00265.**

c) **Pursuant to Government Code section 54956.8 for a matter pertaining to real property negotiations. Authorization to negotiate with Suheil Totah of Thomas Enterprises for the acquisition of property within the Union Pacific Railyards, including all or portions of the following Assessor's Parcel Numbers: 002-0010-038, 002-0010-039, 002-0010-043, 002-0010-025, 002-0010-027, 002-0010-028, 002-0010-018, 002-0010-021, 002-0010-024 and 006-0023-006. The purpose is to confer with the City's chief negotiator, Marty Hanneman, regarding the price, terms and conditions of the acquisition.**

Reconvene to Open Session – 2:00 p.m.

Roll Call – 2:07 p.m. All present

Closed Session Report – Item number 'b' was not heard. There was no reportable action.

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. **Resolution Recognizing Galena Street East's 35th Anniversary**
Action: Presented to Richard and Jeri Clinger

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

Consent Calendar (Items 1-20)

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/Sheedy) to adopt the Consent Calendar in one motion except as indicated

1. **(City Council/Redevelopment/Housing Authority/ Financing Authority) Approval of Minutes for November 14, 2006**
   Location: (Citywide)

   Recommendation: Approve afternoon and evening City Council, Redevelopment Agency, Housing Authority and Financing Authority Minutes for November 14, 2006.

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

   Action: Approved recommendation.

2. **Open Application Period for Various Boards/Commissions/Committees**
   Location: (Citywide)

   Recommendation: Open an application period for: 1) Meadowview Development Committee to fill eight (8) positions, opening December 13, 2006 with applications due January 12, 2007; 2) Parks and Recreation Commission to fill five (5) positions, opening December 13, 2006 with applications due January 19, 2007; 3) Small Business Development and Employment Advisory Board to fill three (3) positions, opening December 6, 2006 with applications due January 5, 2007.

   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 1) North Sacramento Redevelopment Advisory Committee to fill three (3) positions, opening November 29, 2006 with applications due December 8, 2006; and 2) Oak Park Redevelopment Advisory Committee to fill six (6) positions, opening December 13, 2006 with applications due January 12, 2007.

   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. **Open Application Period for Various Boards/Commissions/Committees**
Location: (Citywide)

Recommendation: Open an application period for 1) Human Rights/Fair Housing Commission to fill two (2) positions, opening November 29, 2006 with applications due December 29, 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

5. **Agreement: Del Paso Boulevard Gateway Public Art Project (PN: TX77)**
Location: Del Paso Boulevard Off Ramp at Highway 160 (District 2)

Recommendation: Adopt a **Resolution** 1) approving the proposal and location for the project; 2) authorizing the City Manager to execute an agreement to purchase artwork with artist Larry Meeks in the amount of $50,000; and 3) authorizing staff to submit an encroachment permit to Caltrans for the public artwork.

Contact: Linda Bloom, Art in Public Places Administrator, 566-3971, Convention, Culture and Leisure Department.

Action: Adopted Resolution No. 2006-860

6. **Agreement: McClellan Air Force Base Dock Annex**
Location: 1601 Garden Highway (District 1)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute a license; and 2) authorizing the Grant Joint Union High School District to use the McClellan Air Force Base Dock Annex for park and recreational purposes under the terms and conditions contained in the license.

Contact: Janet Baker, Operations Manager, (916) 808-8234, Parks and Recreation Department.

Action: Removed by Councilmember Sheedy for discussion. Moved, seconded, carried (Sheedy/Tretheway) to adopt Resolution No. 2006-861

7. **Agreement: Bicycle Transportation Account Funding (PN: HC61)**
Location: Niños Parkway Bike Trail, Phase 2: South Natomas, the Western Area Power Authority Easement between West El Camino and B-Drain Canal (District 1)

Recommendation: Adopt a **Resolution** 1) approving the submission of an application for Bicycle Transportation Account (BTA) to fund Phase 2 of the Niños Parkway Bike Trail; 2) authorizing and directing the City Manager to execute the Local Agency-State Bicycle Transportation Account Agreement with Caltrans if the project is awarded a state BTA grant; 3) appropriating up to $688,000 of State Grant Funds (Fund 512) to the Niños Parkway Bike Trail Project (PN: HC61) if the project is awarded a State BTA grant; and 4) appropriating a local funding match of $69,000 (Fund 796) from the administrative contingency of the South Natomas Facilities Benefit Assessment fund to the Niños Parkway Bike Trail, Phase 2.

Contact: Edward Cox, Program Analyst, 808-8434; Theresa Arnold, Special Projects Engineer, 808-5514, Department of Transportation.

Action: Adopted Resolution No. 2006-862

8. **Agreement: Services of Fire Captain Erik Saari**
Location: (Citywide)

Recommendation: Adopt a **Resolution**: 1) authorizing the City Manager or his designee to execute an Inter-Jurisdictional Employee Exchange Agreement with the State of California Military Department to utilize the services of Fire Captain Erik Saari as an Exercise Planner (Fire Protection) with the California Homeland Security Training and Exercise Program with an effective date of July 1, 2006 through June 30, 2007; and 2) determining that Captain Erik Saari's service as an Exercise Planner (Fire Protection) is not incompatible or in conflict with his duties as an employee of the City of Sacramento.

Contact: Forrest Adams, Deputy Chief, (916) 808-1603 Fire Department.

Action: Adopted Resolution No. 2006-863

9. **Agreement: South Watt Avenue and Fruitridge Road Intersection Improvements Project (PN: TR91)** (Continued from 11-21-06)
Location: Intersection of South Watt and Fruitridge Road (District 6)

Recommendation: Adopt a **Resolution**: 1) approving the Cooperative Agreement between the City of Sacramento and the County of Sacramento for the project and appropriating $1,500,000 ($1,050,000 from the County of Sacramento, and $450,000 from the City) to the South Watt Avenue and Fruitridge Road Intersection Improvement Project (PN: TR91).

Contact: Mehrdad Nazeri, Associate Civil Engineer, 808-7460; Tim Mar, Supervising Engineer, (916) 808-7531, Department of Transportation.

Action: Adopted Resolution No. 2006-864

10. **Agreement: Intermodal Transportation Facility Project (PN: CF41)**
Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute an agreement with Sacramento Transportation Authority (STA) to accept $15,913,500 of New Measure A funds to the City of Sacramento for the project; and 2) authorizing staff to create a new fund (Fund 291, New Measure A Construction).

Contact: Azadeh Doherty, Principal Planner, (916) 808-3137, Transportation Department.

Action: Continued to December 5, 2006

11. **Grant/Agreement: AmeriCorps**
Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute an agreement and any extensions or amendments thereto with the State of California as necessary for the City to accept a three-year AmeriCorps grant from the State of California; and 2) establishing an operating grant in the START Fund 245 and appropriate up to a maximum first-year grant award of $405,901.

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

Action: Withdrawn.

12. **Contract: Fairbairn Water Treatment Plant (FWTP) Low Lift Pump Phase 1 Project (PN:ZL21)**
Location: EA Fairbairn Water Treatment Plant (District 3)

Recommendation: Adopt a **Resolution**: 1) awarding a contract to Prime Pump Company in an amount not to exceed $257,641.03, and 2) transferring funds in the amount of $120,000 to ZL21 (Fund 413), from the Base Reserve (PN: ZE46, Fund 413).

Contact: David L. Brent, Engineering Manager, 808-1420; Marc Robles, Buyer II, Procurement Services, 808-6343.

Action: Adopted Resolution No. 2006-865

13. **Contract: Tower Bridge Pedestrian/Bicycle Improvements Project (PN: HC06)**
Location: Capitol Mall at Sacramento River (District 1)

Recommendation: Adopt a **Resolution**: 1) approving the plans and specifications for the proejct; and 2) awarding the contract to Golden State Bridge Inc. for the amount not to exceed $6,498,246.

Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035; Jon Blank, Supervising Engineer, (916) 808-7914, Transportation Department.

Action: Adopted Resolution No. 2006-866

14. **October 2006 Monthly Investment Transactions Report**
Location: (Citywide)

Recommendation: Receive and file.

Contact: John Colville, Sr. Investment Officer, (916) 808-5168; Shirley Tupaz, Investment Operations Analyst, (916) 808-5168, Office of the City Treasurer.

Action: Received and filed

15. **McClellan Air Force Base Dock Annex**
Location: 1601 Garden Highway (District 1)

Recommendation: Adopt a **Resolution** 1) accepting conveyance of the McClellan Sacramento River Dock Annex from the United States of America on the terms and conditions contained in the quitclaim deed; and 2) authorizing the City Manager to execute the quitclaim deed.

Contact: Janet Baker, Operations Manager, (916) 808-8234, Parks and Recreation Department.

Action: Removed by Councilmember Sheedy for discussion. Moved, seconded, carried (Sheedy/Tretheway) to adopt Resolution No. 2006-867

16. **Sacramento Tourism and Business Improvement District (STBID)**
Location: Cities of Sacramento, Isleton and Rancho Cordova Sacramento County (unincorporated area)

Recommendation: Adopt a **Resolution** approving the 2006/07 Budget for the Sacramento Tourism and Business Improvement District.

Contact: Steve Hammond, President & CEO, Sacramento Convention & Visitors Bureau, (916) 808-7782, Barbara Bonebrake, CC&L Director, (916) 808-8225, Culture, Convention, and Leisure Department.

Action: Adopted Resolution No. 2006-868

17. **(Pass for Publication) Annexation No. 15 to the Neighborhood Park Maintenance Community Facilities District No. 2002-02**
Location: (Citywide)

Recommendation: 1) Adopt a **Resolution** determining the results of the Special Mail Ballot Election; 2) review an Ordinance levying a special tax for the property-tax year 2006-2007 and following tax years solely within and relating to the City of Sacramento Neighborhood Parks Maintenance Community Facilities District No. 2002-02, Annexation No. 15; 3) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted on December 5, 2006.

Contact: Sini Makasini, Administrative Analyst, (916) 808-5628; Mark Griffin, Fiscal Manager, (916) 808-8788, Planning Department.

Action: Adopted Resolution No. 2006-869 and approved Ordinance recommendation.

18. **Bridge Funding for Sacramento Intermodal Transportation Facility Project (PN: CF41)**
Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) appropriating $11,600,000 from Contingency (Measure A Construction-Fund 201, Gas Tax-Fund 203, Major Street Construction Tax-Fund 209, State Route 160-Fund 213 and State Route 275-Fund 217) to the project for a period not to exceed the end of Fiscal Year 2007/08.

Contact: Hinda Chandler, Associate Architect, (916) 808-8422, Transportation Department.

Action: Continued to December 5, 2006

19. **Safe Routes to Schools Funding**
Location: Sidewalk and crossing improvements at Rio Linda Boulevard and Marysville Boulevard (District 2)

Recommendation: Adopt a **Resolution** authorizing the City Manager to submit an application for funding to the Safe Routes to School Grant Program for 1) New sidewalk and pedestrian crossing improvements for Robla Elementary School at Rio Linda Boulevard and Marysville Boulevard, and 2) a Citywide walking and bicycling safety program to be added to the existing after-school programs.

Contact: Edward Cox, Program Analyst, 808-8434; Theresa Arnold, Special Projects Engineer, 808-5514, Transportation Department.

Action: Adopted Resolution No. 2006-870

20. **(Housing Authority) Summerfield Plaza Apartments**
Location: 521 Wilson Avenue and 2624 Traction Avenue (North Sacramento Redevelopment Area) (Districts 1 and 2)

Recommendation: Adopt a Housing Authority **Resolution** 1) approving documents authorizing a tax-exempt bond issuance of up to $2,750,000 and a taxable bond issuance of up to $1,400,000 for the acquisition, rehabilitation, and permanent financing of the Summerfield Plaza Apartments; and 2) authorizing the Executive Director or her designee to execute all documents necessary to issue the bonds.

Contact: Jim Hare, Assistant Director of Housing Policy and Development, (916) 440-1313 Richard Marsh, Housing Finance Analyst, (916) 440-1399 x1298, Sacramento Housing and Redevelopment Agency.

Action: Removed for discussion by Councilmember Sheedy. Moved, seconded, carried (Sheedy/Tretheway) to adopt Housing Authority Resolution No. 2006-019.

Public Hearings (Items 21 and 22)

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

21. **(Redevelopment Agency) 800 K& L Street Project** (Noticed on 11-17-06)
Location: Western portion of the half block between K Street and L streets along 8th Street in the Central Business District (District 1)

Recommendation: Continue to 12-05-06 at 7:00 P.M.

Contact: Michelle Nelson, Senior Economic Development Project Manager, (916) 808-7064, Leslie Fritzsche, Downtown Development Manager, (916) 808-5450, Economic Development Department.

Action: Continued to December 5, 2006, at 7:00 p.m.

22. **Temporary Street Closure – Creeks Edge Way Between Franklin Boulevard and Morrison Creek (No. TSC06-08)** (Noticed on 11-15-06)
Location: Creeks Edge Way between Franklin Boulevard and Morrison Creek (District 8)

Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** approving the temporary street closure of Creeks Edge Way.

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

Action: No public comment. Moved, seconded, carried (Pannell/Hammond) to close the public hearing and adopt Resolution No. 2006-870

Staff Reports (Item 23-25)

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

23. **City Attorney's Annual Report for Fiscal Year 2005-2006**
Location: (Citywide)

Recommendation: Receive and file the Annual Report and provide direction to the City Attorney.

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

Action: Received and filed

24. Agreements: Railyards: Intermodal Site Acquisition and Track Relocation [To Be Delivered]
Location: Railyards (District 1)

Recommendation: Adopt 1) a **Resolution** approving the Purchase and Sale Agreement for the acquisition of the Intermodal Transportation Facility site; 2) a **Resolution** approving the Track Relocation Financing Agreement subject to environmental review and future Council action 3) direct staff to proceed with negotiating a Development Agreement for Council approval for development of the Railyards project, if the developer closes escrow on the Railyards Property.

Contact: Marty Hanneman, Assistant City Manager (916) 808-7508; Dave Harzoff, Special Projects Manager/Economic Development (916) 808-5385, Office of the City Manager.

Action: Continued to December 5, 2006

25. Memorial Auditorium's Historic Structures
Location: (District 3)

Recommendation: Adopt a **Resolution** 1) accepting the Historic Structures Report and approving the continued use of the report findings and methods as a guide to future improvements for the Memorial Auditorium facility; and 2) approving the use of the "Master Certificate of Appropriateness" which gives overall approval to proceed with general maintenance and repairs pursuant to treatments recommended in the historic structures report.

Contact: Judy Goldbar, General Manager, Convention Center Complex (916) 808-5291; Tina McCarty, Administrative Officer, Convention Center Complex (916) 808-8220, Convention, Culture and Leisure Department.

Action: Continued to December 5, 2006

Information Reports (Item 26)

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

26. Notification of Final Map and Subdivision Improvement Agreement for 2031 S Condominiums (P05-141)
Location: Northwest corner of 21st Street and S Street (District 4)

Recommendation: Receive and file.

Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7018, Development Services Department.

Action: Received and filed

Public Comments- Matters Not on the Agenda

a. Don Souza – concerns over drugs in midtown

Council Comments-Ideas, Questions and Meeting/Conference Reports

a. **Board/Commission Appointments by Mayor Fargo**

1. **Animal Care Services Citizens AdvisorCommittee**
   a. Patricia Wilcox (incumbent – Category A)
   b. Eugene Lukehart (category B)

2. **Sacramento City/County Bicycle AdvisorCommittee**
   a. Jeffrey S. Rosenthal
   b. John Gill

3. **Capitol Area Development Authority**
   a. William Ishmael (incumbent)

4. **Development Oversight Commission**
   a. Brian Holloway (Category A incumbent)
   b. John Nunan (Category B incumbent)
   c. Roger Valine (Category C incumbent)

5. **General Plan Advisory Committee**
   a. Jennifer Daw

b. **Report Backs**
   1. Sheedy – Abatement program status due to promotions in police department

c. **Meeting/Conference Reports** - None

Recess - 2:58 p.m. in memory of Gino Corty.

Reconvene – 7:00 p.m.

Roll Call - 7:05 p.m.

Pledge of Allegiance – led by Robbie Waters

Special Presentations/General Communications

a. **Swearing in Ceremony for Councilmembers Tretheway, Cohn, Hammond and Waters.**

   Action: Councilmembers Tretheway, Cohn, Hammond and Waters took the oath of office and were seated for another 4 year term

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

Public Comments- Matters Not on the Agenda – None.

Council Comments-Ideas, Questions and Meeting/Conference Reports – None.

Adjournment - 8:12 p.m.