



REPORT TO COUNCIL City of Sacramento

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

CONSENT
April 10, 2007

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 Minutes for March 27, 2007.

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, City Clerk

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**Meetings of Sacramento
City Council
Redevelopment Agency
Housing Authority
Finance 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, March 27, 2007

City Hall-915 I Street, 1st 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

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 on Comcast, SureWest, and Channel 15, Strategic Technologies Cable Systems and rebroadcast on the Saturday following the date of the meeting. (Check Listings). Meetings are also closed captioned for hearing impaired viewers. Live videostreams and indexed archives of meetings are available via the internet. Visit http://www.cityofsacramento.org/webtech/streaming_video/live_council_meetings.htm.

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.

MINUTES

Tuesday, March 27, 2007

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 – 12:07 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 54956.9(a), for a matter pertaining to pending litigation: Weingarten v. City of Sacramento, Sacramento County Superior Court Case No. 05AS03936.**
- b) **Pursuant to Government Code section 54956.9(a), for a matter pertaining to pending litigation: Schulte v. City of Sacramento, Sacramento County Superior Court Case No. 06AS02846.**
Action: Withdrawn

Reconvene to Open Session – 2:00 p.m. (See Separate Special Agenda)

**Economic Development Workshop
Sheraton Grand Hotel
1230 J Street · 13th and J Street**

Reconvene – 7:00 p.m.

Roll Call – 7:06 p.m. Councilmember Tretheway absent.

Special Presentations/General Communications

- a.) **Resolution Recognizing 2007 Cesar Chavez Day of Service and Learning**
Action: Resolution presented to Raquel Chavez

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

Pledge of Allegiance – led by Boy Scout Troop 394

Consent Calendar (Items 1- 18)

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

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

1. **(Administrative Matter) Calculation Error and Repeal of Resolution 2006-913**
Location: (Citywide)
Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute Supplemental Agreements 2005-0046-2 and 2005-0047-2; and 2) repealing Resolution 2006-913 due to a calculation error.
Contact: Russell Fehr, Director of Finance, (916) 808-5832; Dennis Kauffman, Accounting Division Manager, (916) 808-5843, Finance Department.
Action: Adopted Resolution No. 2007-183
2. **(City Council/Redevelopment Agency/Housing Authority/Financing Authority) Approval of Council Minutes**
Location: (Citywide)
Recommendation: Approve the afternoon and evening City Council, Redevelopment Agency, Housing Authority and Financing Authority Minutes for March 13, 2007.
Contact: Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk
Action: Approved recommendation
3. **Open an Application Period for Various Boards and Commissions**
Location: (Citywide)
Recommendation: Open an application period for Sacramento Heritage, Inc. Board of Directors opening 03/28/07 with applications due 04/30/07.
Contact: Stephanie Mizuno, Assistant City Clerk, 808-8093; Ruci Katia, Deputy City Clerk, 808-7200, Office of the City Clerk.
Action: Approved recommendation
4. **Agreement: Fremont Community Garden Project** (Continued from 3-20-07)
Location: 14th and Q Streets (District 4)
Recommendation: Adopt a **Resolution** authorizing the City Manager to enter into a Property Transfer Agreement with the Capitol Area Development Authority (CADA) for the project.
Contact: J.P.Tindell, Park Development Manager, (916) 808-1955, Parks and Recreation Department.
Action: Continued to April 3, 2007

5. Agreement: Park Easements in Natomas Capital Improvement Program (CIP LK79) (Continued from 3-20-07)

Location: Park sites and bike trail in North and South Natomas (District 1)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to enter into an agreement with the Sacramento County Regional Sanitation District for purchase of real property from the City; 2) accepting \$500,000 from the Sacramento County Regional Sanitation District into the CIP Reimbursable Fund, Fund 248, for easements on Tanzanite Park, an undeveloped park site and a trail north of I-80 and east of I-5; 3) establishing a new Capital Improvement Program (CIP) for the program; and 4) appropriating \$500,000 from the CIP Reimbursable Fund, Fund 248, into CIP LK79 for reimbursement of City Real Estate Services staff time on this project (not to exceed \$12,000) and for improvements to, or near, the undeveloped park site at 2126 Garden Highway.

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

Action: Withdrawn.

6. Supplemental Agreement: Sacramento Convention Center

Location: (Districts 1 and 3)

Recommendation: Adopt a **Resolution** authorizing the City Manager to 1) execute Addendum #1 to City Agreement No. 2005-0062 with Tickets.com, changing the settlement payment obligation from post event to weekly payments; and 2) revise the equipment list to incorporate additional pieces of equipment provided by vendor.

Contact: Tina McCarty, Administrative Officer, Convention Center, 808-5291, Convention Culture and Leisure Department.

Action: Adopted Resolution No. 2007-171

7. Supplemental Agreement: Fulton Avenue Development Project (CB37)

Location: 3701 Fulton Avenue (District 2)

Recommendation: Adopt a **Resolution** authorizing 1) the City Manager to execute Supplemental Agreement No. 3 with Wood Rodgers for planning, engineering and surveying services, and 2) the expenditure of \$336, 500, which brings the total cost to \$610,860 for the project.

Contact: Dean Peckham, Economic Development Senior Project Manager, (916) 808-7063, James R. Rinehart, Citywide Economic Development Manager, (916) 808-5054, Economic Development Department.

Action: Adopted Resolution No. 2007-172

8. Supplemental Agreement: Parking Operations Management (To Be Delivered)

Location: (District 1)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute Amendment #1 to City Agreement No. 2006-1405-17 with S Thomas Enterprises, extending the term an additional 5 years; 2) allowing either party to terminate the agreement upon 90 days notice; and 3) authorizing the base monthly fee of \$16,000

and gross monthly proceeds over a percentage fee threshold of \$21,000 will be split evenly between S Thomas Enterprises and the City.

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

Action: Withdrawn.

9. **Contract: Stockton Boulevard Water Transmission Main Replacement Project (PN: ZL41)**
Location: R Street to 2nd Avenue (Districts 4, 5 and 6)
Recommendation: Adopt a **Resolution** 1) approving the contract plans and specifications for the project; and 2) awarding the contract to T&S Construction Co., Inc. for an amount not to exceed \$2,116,932.
Contact: David L. Brent, Engineering Manager, 808-1420; Dan Sherry, Supervising Engineer, 808-1419, Utilities Department.
Action: Adopted Resolution No. 2007-173 CO 2007-043
10. **Contract: Janitorial and Building Maintenance Services**
Location: (Citywide)
Recommendation: Adopt a **Resolution** awarding a contract for maintenance services to Pacific Maintenance Company in an amount not to exceed \$857,734 per contract year, with the potential of year-to-year extensions for a total contract period of five years.
Contact: Craig Lymus, Contract Officer, (916) 808-5524, Finance Department.
Action: Adopted Resolution No. 2007-174 CO 2007-044
11. **(Pass for Publication) Landscaping Requirements in Required Setback Areas for Single-Family and Two-Family Residential Uses (M06-052)**
Location: (Citywide)
Recommendation: 1) Review a Resolution approving the Environmental Exemption per the California Environmental Quality Act Section 15061 (b) (3); 2) review an Ordinance amending section 17.68.010 of the Sacramento City Code relating to landscaping requirements in required front yard and street side yard setback areas for single-family and two-family residential uses; and 3) pass for publication the Ordinance title as required by the Sacramento City Charter 32c, to be adopted April 3, 2007.
Contact: Joy Patterson, Principal Planner, (916) 808-5607; Ron O'Connor, Chief of Code Enforcement (916) 808-8183, Development Services Department.
Action: Approved recommendation.
12. **(Pass for Publication) Tethered Inflatables for Model Home Complexes (M07-007)**
Location: (Citywide)
Recommendation: 1) Review a Resolution approving the Environmental Exemption per the California Environmental Quality Act Section 15061 (b) (3); 2) review the Interim Ordinance allowing tethered inflatables for model home complexes; 3) pass for

publication of the Interim Ordinance title as required by Sacramento City Charter section 32 (c), to be adopted April 3, 2007.

Contact: Chris Dougherty, Assistant Planner, (916) 808-5680; Joy Patterson, Principal Planner, (916) 808-7158, Development Services Department.

Action: Approved recommendation.

13. (Pass for Publication) Riding of Bicycles on the K Street Mall

Location: K Street from 7th to 14th Streets (District 1)

Recommendation: 1) Review an Ordinance amending Subsection A of Section 12.44.070 of the Sacramento City Code regarding the Riding of Bicycles on the K Street mall; 2) pass for publication the Ordinance titles as required by the Sacramento City Chapter Section 32c, to be adopted April 3, 2007.

Contact: Robert Rose, Code Enforcement Manager, (916) 808-5947, Code Enforcement Department.

Action: Approved recommendation.

14. (Pass for Publication) Alternative Development Standards (M06-035)

Location: Portion of the East Sacramento Community Plan Area (District 3)

Recommendation: 1) Review a Resolution approving the Environmental Exemption per the California Environmental Quality Act Section 15301; 2) review an Ordinance adopting interim regulations pertaining to design review in portions of the East Sacramento area; and 3) pass for publication the Ordinance title as required by the Sacramento City Charter 32c, to be adopted April 3, 2007.

Contact: Joy Patterson, Zoning Administrator, (916) 808-5607; William Crouch, Urban Design Manager, (916) 808-8013; David Kwong, Planning Manager, (916) 808-2691, Development Services Department.

Action: Approved recommendation.

15. Sacramento Office of Homeland Security Executive Director Position

Location: Sacramento Regional Urban Area

Recommendation: Adopt a **Resolution** 1) adding one (1) career Full-Time Equivalent (FTE) Deputy Police Chief position to staff the Executive Director position within the Sacramento Regional Office of Homeland Security; and 2) increasing the labor and grant offset budget in the FY 2006/07 operating budget by \$55,062.

Contact: Milt Nenneman, Lieutenant, (916) 874-2176, Police Department.

Action: Adopted Resolution No. 2007-175

16. LifeTrail Wellness Stations Capital Improvement Program (CIP)

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) establishing a new CIP for Sim Park LifeTrail Wellness Station, CIP LX74; 2) appropriating \$20,000 from the Hart Trust Fund, Fund 561, to Sim Park LifeTrail Wellness Station, for the purchase and installation of a LifeTrail Wellness Station; 3) appropriating \$20,000 from the Hart Trust Fund, Fund 561, to Jacinto Creek Park Phase 2, CIP LU38, for the purchase and

installation of a LifeTrail Wellness Station; 4) appropriating \$20,000 from the Hart Trust Fund, Fund 561, to South Natomas Community Park, CIP LW36, for the purchase and installation of a LifeTrail Wellness Station; 5) appropriating \$20,000 from the Hart Trust Fund, Fund 561, to Marshall Park, CIP LX16, for the purchase and installation of a LifeTrail Wellness Station; and 6) appropriating \$20,000 from the Hart Trust Fund, Fund 561, to Garcia Bend Park, CIP LY06, for the purchase and installation of a LifeTrail Wellness Station.

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

Action: Adopted Resolution No. 2007-176

17. Utilities Capital Improvement Program (CIP) Budgets

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Manager to amend the FY2006-2007 (FY07) Utilities CIP budgets 1) to add a new project FWTP HVAC Upgrade (PN: ZL81, Fund 413) in the amount of \$100,000; 2) to defund various projects; and 3) to appropriate funds to various projects.

Contact: David L. Brent, Engineering Manager, (916) 808-1420; Charlene McKoy, Business Services Manager, 808-1462; Karen Lane, Program Manager, (916) 808-8995, Utilities Department.

Action: Adopted Resolution No. 2007-177

18. (Housing Authority) Transfer of Housing Authority Properties to Non-Profit Organizations Currently Providing Transitional Housing Services

Location: 3671 5th Avenue, 3673 5th Avenue, 3201 W Street, 3200 V Street, 3242 V Street (District 5)

Recommendation: Adopt a **Housing Authority Resolution** 1) finding that the subject properties are surplus and are not required for the foreseeable future needs of the Housing Authority; 2) authorizing the Authority to transfer five properties to non-profit organizations currently leasing these properties to provide service enriched transitional housing; 3) certifying that the transfer of properties will be subject to the terms and conditions of the grant deeds and conditional grant agreements, 4) authorizing the Executive Director to amend the Agency budget to allocate \$170,000 in Mortgage Revenue Bond (MRB) administrative fee funds for improvements to properties prior to their transfer, and 5) authorizing the Executive Director to enter into other supplemental documents as appropriate

Contact: La Shelle Dozier, Housing Authority Director, Nick Chhotu, Regional Housing Authority Manager, (916) 440-1334, Sarah Hansen, Redevelopment Manager, (916) 440-1399, ext. 1415, Sacramento Housing and Redevelopment Agency.

Action: Adopted Housing Authority Resolution No. 2007-004

Public Hearings (Item 19 and 20)

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

- 19. Temporary Street Closure Proceeding No. TSC06-10** (Noticed on 3-12-07)
Location: Alley bounded by Frenza Avenue, Lexington Street, Santiago Avenue and Evergreen Street (District 2)
Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** approving the temporary closure of the alley bounded by Frenza Avenue, Lexington Street, Santiago Avenue and Evergreen Street to help alleviate criminal activity.
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 (Sheedy/Waters; Absent - Tretheway) to close the public hearing and adopt Resolution 2007-178
- 20. 48th Street Villas (P06-129)** (Passed for Publication on 3-20-07, Noticed on 3-23-07)
Location: 1510 48th Street (District 3)
Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** approving an exemption under the California Environmental Quality Act (CEQA) Guidelines Section 15303, and 2) an **Ordinance** amending the districts established by the Zoning Ordinance (Sacramento City Code, Title 17).
Contact: Bradley Angell, Assistant Planner, (916) 808-8538; Jeanne Corcoran, Senior Planner, (916) 808-5317, Development Services Department.
Action: Public comment given by Jim Collins. Moved, seconded, carried (Cohn/Fong; Absent - Tretheway) to close the public hearing and adopt Resolution 2007-179 and Ordinance No. 2007-022

Staff Reports (Item 21 - 25)

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

- 21. (City Council/Redevelopment Agency/Housing Authority) Sacramento Flood Control Agency (SAFCA) Assessment Vote for City, Housing Authority, and Redevelopment Agency Owned Property**
Location: (Citywide)
Recommendation: Adopt 1) a **City Resolution** authorizing the City Manager to vote City-owned parcel ballots in favor of the SAFCA assessment, 2) a **Housing Authority Resolution** authorizing the Executive Director to vote Housing Authority owned parcel ballots in favor of the SAFCA assessment; and 3) a **Redevelopment Agency Resolution** authorizing the Executive Director to vote Redevelopment Agency owned parcel ballots in favor of the SAFCA assessment.
Contact: Marty Hanneman, Assistant City Manager, (916) 808-7508, Anne Moore, Executive Director of SHRA, (916) 440-1319, Office of the City Manager.
Action: Moved, seconded, carried (Fong/Waters; Absent - Tretheway) to adopt City Resolution No. 2007-180, Housing Authority Resolution No. 2007-005, and Agency Resolution No. 2007-019.

22. Introduction of Regulatory Improvement Team and Programming Guide (M07-009)

Location: (Citywide)

Recommendation: Receive and file

Contact: Sandra Yope, Senior Planner, (916) 808-7158; Joy Patterson, Principal Planner, (916) 808-5607, Development Services Department.

Action: Received and filed

23. Memorial Auditorium Bond Project Status

Location: (District 3)

Recommendation: Adopt a **Resolution** directing staff to 1) proceed with a) the foundation waterproofing project, b) design concepts for the landscape, and c) lighting needed at the Memorial Auditorium; and 2) report back to City Council for approval of the Lighting and Landscape specific plan.

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

Action: Public comment given by Charlotte Gilmore. Moved, seconded, carried (Cohn/Fong; Absent - Tretheway) to adopt Resolution No. 2007-181.

24. Agreement: Sacramento Public Library Authority Joint Exercise of Powers Agreement

Location: (Citywide)

Recommendation: Adopt a **Resolution** approving a Joint Exercise of Powers Agreement for the Sacramento Public Library Authority to reflect a new governance and resource allocation structure.

Contact: Anne Marie Gold, Library Director, (916) 264-2830, Sacramento Public Library.

Action: Moved, seconded, carried (Cohn/Fong, Noes – Hammond, Absent - Tretheway) to adopt Resolution No. 2007-182. AG2007-0290

25. (Redevelopment Agency) Agreement: Aura Project (Continued from 3-13-07) (Continued from 3-20-07)

Location: 601 Capitol Mall, Central Business District (District 1)

Recommendation: Continue to April 3, 2007.

Contact: Leslie Fritzsche, Downtown Development Manager, (916) 808-5450, Economic Development Department.

Action: Moved, seconded, carried (Waters/Fong, Absent – Tretheway) to continue to April 3, 2007.

Information Reports (Item 26 - 27)

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 Nguyen Subdivision (P04-226)

Location: Lemon Hill Avenue west of Logan Street (District 6)

Recommendation: Receive and file.

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

Action: Received and filed

27. Notification of Final Map and Subdivision Improvement Agreement for The Islands at Riverlake Phase I (P05-004)

Location: Northwest corner Pocket Road and West Shore Drive and south side of Pocket Road at Dutra Bend Drive (District 7)

Recommendation: Receive and file.

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

Action: Received and filed

28. Notification of Final Map and Subdivision Improvement Agreement Somerset (P04-256)

Location: Southeast corner Franklin Boulevard and Ehrhardt Avenue (District 7)

Recommendation: Receive and file.

Contact: Jerry Lovato, Senior Engineer Technician, (916) 808-7918, Development

Action: Received and filed

Public Comments- Matters Not on the Agenda

- a. Mr. Singh – illegal dumping issues
- b. Michael Alcalay – invitation to Sacramento Zoo Wild Affair on October 6, 2007

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments by Mayor Fargo
 - 1. Transportaiton Programming Guide
 - a. Sam Delson (Category B)
 - b. Malachi Smith (incumbent)
 - 2. Ethel MacLeod Hart Advisory Committee
 - a. Karen Raasch
- b. Report Backs
 - 1. McCarty – asked that the homeless safety and proposed legislation by Senator Steinberg be forwarded to L&L for consideration of a city position

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

Adjournment – 8:30 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the March 27, 2007 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk

