



REPORT TO COUNCIL City of Sacramento

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

CONSENT
April 17, 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 April 3, 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
for Shirley Concolino, City Clerk

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Minutes



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

Minutes

Tuesday, April 3, 2007

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)

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MINUTES

Tuesday, April 3, 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 - 2:00 p.m.

Roll Call – 2:13 p.m. All present

Special Presentations/General Communications

- a. **Proclamation recognizing Work Zone Safety Awareness Month of April, 2007 as Tony Pontiliana Work Zone Safety Awareness Campaign, “Please Slow Down My Daddy Works Here”**

Action: Received by Robert Seinz

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

1. **(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 20, 2007.

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

Action: Approved recommendation.

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

Location: (Citywide)

Recommendation: Confirmation of board/commission appointments 1) Sacramento Commission of History and Science – Shirley Moore (Category D4); 2) North Sacramento Redevelopment Advisory Committee – Erik Clark (Category B), Robert Charland (Category B), Eugene Lukehart (Category B), Kim Scott (Category B), Robert Adams and Donna Hubbs (category D).

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. Agreement: Fremont Community Garden** (Continued from 3-20-07, 3-27-07)
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 Fremont Community Garden.

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

Action: Adopted Resolution No. 2007-184
- 4. Agreement: Business Operations Tax Data**
Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Manager, or authorized designee, to enter into a standard agreement with the Franchise Tax Board (FTB) for the purpose of the City's participation in the FTB's City Business Tax data program.

Contact: Brad Wasson, Revenue Manager, (916) 808-5844 Walker Black, Senior Management Analyst, (916) 808-5833, Finance Department.

Action: Adopted Resolution No. 2007-185
- 5. Agreement: Housing Element Update and Housing Program Implementation (LR07-003)**
Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute a professional services agreement with EDAW, Inc. in the amount of \$200,000 to fund the Housing Element Update and housing program implementation support.

Contact: Thomas Pace, Long Range Planning Manager, (916) 808-6848, Greg Sandlund, (916) 808-8931, Planning Department.

Action: Continued to April 10, 2007
- 6. Contract: Alder Park (CIP LX56)**
Location: 1615 Liani Way (District 1)

Recommendation: Adopt a **Resolution** 1) approving the contract specifications for the park; 2) appropriating \$215,000 from Park Development Impact Fees (PIF), Fund 791, for the park; and 3) authorizing the City Manager to award and execute the contract with Gold Valley Construction Incorporated for the park for an amount not to exceed \$354,878.

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

Action: Adopted Resolution No. 2007-186
- 7. (Pass for Publication) 2001 Del Paso Boulevard (P06-141)**
Location: 2001-2005 Del Paso Boulevard (District 2)

Recommendation: 1) Review a Resolution approving the Environmental Exemption per the California Environmental Quality Act Section 15332, 2) review an Ordinance approving the rezone from General Commercial Special Planning District (C-2-SPD)

zone to General Commercial Transit Overlay Special Planning District (C-2-TO-SPD) zone, and 3) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted on April 10, 2007.

Contact: Elise Gumm, Assistant Planner, (916) 808-1927; Stacia Cosgrove, Senior Planner, (916) 808-7110, Development Services Department.

Action: Approved recommendation

8. (Pass for Publication) Appeal of 8151 Sheldon Subdivision (P05-044)

Location: 8151 Sheldon Road (District 8)

Recommendation: 1) Review a Resolution approving the Mitigated Negative Declaration and Mitigation Monitoring Plan, 2) review a Resolution approving the General Plan Amendment, 3) review a Resolution denying the appeal and approving the Sheldon Subdivision Tentative Map, Special Permit, and Subdivision Modifications and 4) review a Resolution approving the Inclusionary Housing Plan, 5) review an Ordinance amending the Comprehensive Zoning Ordinance; 6) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted April 10, 2007.

Contact: Antonio Ablog, Associate Planner, (916) 808-7702; Tom Buford, Senior Planner, (916) 808-7931, Development Services Department.

Action: Approved recommendation.

9. (Pass for Publication) Compensation of Public Members of City Boards and Commissions

Location: (Citywide)

Recommendation: 1) Review an Ordinance amending Sections 2.76.060, 2.80.050, 2.90.070 and deleting Sections 2.44.010, 2.53.100, 2.54.100, 2.60.040, 2.64.070, 2.86.100, 8.100.140 of the Sacramento City Code to update portions of the Code that no longer apply as a result of voter approval of Section 29 of the Sacramento City Charter that provides the City's Compensation Commission with the authority to establish compensation for public members of City Boards and Commissions; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted on April 10, 2007.

Contact: Mark Prestwich, Special Projects Manager, (916) 808-5380, Office of the City Manager.

Action: Approved recommendation.

10. Group Picnic Area at Southside Park

Location: 2115 6th Street (District 4)

Recommendation: Adopt a **Resolution** 1) supporting the development of a Land and Water Conservation Fund (LWCF) Grant application in the amount up to \$200,000 for the renovation of the group picnic area at Southside Park; and 2) authorizing the City Manager or designated appointee to execute all necessary agreements when received and establish related revenue and expenditure budgets for the grant funds and appropriate the grant funds contingent on receipt of award.

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

Action: Pulled from consent by Councilmember Fong. Moved, seconded, carried (Fong/Hammond) to adopt Resolution No. 2007-187.

11. February 2007 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 Treasurer.

Action: Received and filed

12. Del Paso Regional Park Filtration Wetland Basin Project (PN: WM66)

Location: Del Paso Regional Park (District 2)

Recommendation: Adopt a **Resolution** approving the Revised Initial Study/Negative Declaration and approve the construction plans for the project.

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

Action: Adopted Resolution No. 2007-188

13. On-Street Angled Parking Program (PN: TT61)

Location: 13th Street between N Street and P Street, 14th Street between N Street and P Street, O Street between 17th Street and 18th Street, and 4 U Street between 11th Street and 12th Street (District 4)

Recommendation: Adopt a **Resolution** approving implementation of angled parking on various streets through the On-Street Angled Parking Program

Contact: Mahesh Bhatt, Assistant Engineer, (916) 808-5956; Hector Barron, Supervising Engineer, (916) 808-2669, Department of Transportation.

Action: Adopted Resolution No. 2007-189

14. Riding of Bicycles on the K Street Mall (Passed for publication on 3-27-07, Published on 3-30-07)

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

Recommendation: Adopt 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.

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

Action: Adopted Ordinance No. 2007-023

Public Hearings (Item 15-17)

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

- 15. Temporary Street Closure –Proceeding No. TSC06-11** (Noticed on 3-22-07)
Location: Alley bounded by 41st, street, 42nd street, "S" Street and "T" Street in (District 6)
Recommendation: Conduct a Public Hearing and upon conclusion, adopt a **Resolution** approving the temporary closure of the alley bound by 41st Street, 42nd Street, "S" Street and "T" Street.
Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918; Thomas Adams, Engineering Technician, (916) 808-7929.
Action: No public comment. Moved, seconded, carried (McCarty/Cohn) to close the public hearing and adopt Resolution No. 2007-190
- 16. Code Enforcement Case Fees and Penalties – Findings of Fact for Special Assessment Liens** (Noticed on 3-14-07)
Location: (Citywide)
Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** placing liens on the properties in the amount of \$8,487.14 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: No public comment. Moved, seconded, carried (Hammond/Sheedy) to close the public hearing and adopt Resolution No. 2007-191 as amended
- 17. Housing Case Fees and Penalties – Findings of Fact for Special Assessment Liens** (Noticed on 3-14-07)
Location: (Citywide)
Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** placing liens on the properties in the amount of \$56,911.96 for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.
Contact: Randy Stratton, Chief of Housing and Dangerous Buildings, (916) 808-6497, Code Enforcement Department.
Action: Public comment given by Calvin Miller. Moved, seconded, carried (Hammond/Fong) to close the public hearing and adopt Resolution No. 2007-192

Staff Reports (Item 18- 23)

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

- 18. Internal Audit Report: The Revenue Division's Cash Controls**
Location: (Citywide)
Recommendation: 1) Receive and file; 2) report back to the Mayor/City Council within six months regarding the status of implementing audit recommendations.
Contact: Martin Kolkin, City Auditor, (916) 808-5704, Office of the City Manager.

Action: Received and filed. Direction given to staff to report back prior to June 30, 2007 on the cash control procedures implemented citywide.

19. Tethered Inflatables for Model Home Complexes (M07-007) (Passed for Publication on 3-27-07, Published on 3-30-07)

Location: (Citywide)

Recommendation: Adopt 1) a **Resolution** approving the Environmental Exemption per the California Environmental Quality Act Section 15061 (b) (3); and 2) an **Interim Ordinance** allowing tethered inflatables for model home complexes.

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

Action: Public comment given by James VanMaren Moved, seconded, carried (Tretheway/Waters) to adopt Resolution No. 2007-193, and Interim Ordinance No. 2007-024.

20. Report On The Status Of Fire Employees Representation Rights

Location: (Citywide)

Recommendation: Receive and file.

Contact: Dee Contreras, Director of Labor Relations, 808-5424 and Ed Takach, Labor Relations Officer, 808-8481, Labor Relations Department.

Action: Received and filed

21. Agreements/Supplemental Agreement: OPUS Fields at the Natomas Baseball Complex (CIP LB97)

Location: 3501 Fong Ranch Road (District 1)

Recommendation: Adopt a **Resolution** 1) approving the facility name "OPUS Fields at the Natomas Baseball Complex;" 2) adopting an addendum to the Environmental Impact Report and the Mitigation Monitoring Plan for the complex; 3) approving the OPUS Fields at the Natomas Baseball Complex Master Plan; 4) authorizing the City Manager to execute Supplement No. 1 to City Agreement 2006-0201 with OPUS West, Inc., for either construction or funding for the construction of a regional baseball facility in Natomas in an amount not to exceed \$1,000,000; 5) authorizing the City Manager to execute the Memorandum of Understanding (MOU) between the City of Sacramento and Natomas Youth Baseball for the construction, maintenance, and operation of the complex; and 6) authorizing the City Manager to execute a lease agreement between the City of Sacramento and Natomas Youth Baseball for the complex.

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

Action: Moved, seconded, carried (Tretheway/Cohn) to adopt Resolution No. 2007-194

22. Council Rules and Procedures [To Be Delivered]

Location: (Citywide)

Recommendation: Review the revised Council Rules of Procedure and provide modifications with an intent motion to return at a later date for adoption.

Contact: Shirley Concolino, City Clerk, (916) 808-5442, Eileen Teichert, City Attorney, (916) 808-5346, Office of the City Clerk and Office of the City Attorney.

Action: Continued to April 17, 2007

23. (Redevelopment Agency) Extension of Loan Commitment for the Aura Project (Continued from 3-13-07; 3-20-07, 3-27-07) [To Be Delivered]

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

Recommendation: Adopt a **Redevelopment Agency Resolution** extending the period of negotiations with Aura project for 45 days, expiring on May 24, 2007 to develop the terms of a maximum \$10,000,000 market rate loan which may be incorporated into an Owner Participation Agreement for the Aura condominium project.

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

Action: No public comment. Moved, seconded, carried (Tretheway/Cohn) to adopt Resolution No. 2007-020

Information Reports (Item 24)

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

24. Report Back: Department of General Services Emergency Contracts

Location: (Citywide)

Recommendation: Receive and file.

Contact: Cynthia Kranc, Facilities Manager, 808-2258, General Services Department.

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. **Report Backs** – Councilmember Fong requested that we place on the agenda for Council discussion to consider naming the council chamber after the late Robert Matsui

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

Recess – 3:45 p.m.

Reconvene – 7:00 p.m.

Roll Call – 7:08 p.m

Pledge of Allegiance – led by Boy Scout Troop 1

Public Hearings (Item 25 and 26)

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

- 25. Landscaping Requirements in Required Setback Areas for Single-Family and Two-Family Residential Uses (M06-052)** (Passed for Publication on 3-27-07, Published on 3-30-07)
Location: (Citywide)

Recommendation: Conduct a public hearing and upon conclusion 1) adopt a **Resolution** approving the Environmental Exemption per the California Environmental Quality Act Section 15061 (b) (3); 2) adopt 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.

Contact: Joy Patterson, Principal Planner, (916) 808-5607; Ron O'Connor, Chief of Code Enforcement (916) 808-8183, Development Services Department.

Action: Public comment given by Sue Jennings, Kim Glazzard, Patricia Byreas, Jeffrey Jee, Sue Tracy, Terelle Terry, Vincent Luther, Brooks Truitt, David Roberts, Emery Mesich, Taylor Mesich, and Mel Billingsley Moved, seconded, carried (Cohn/Fong; Noes - Waters) to close the public hearing and adopt Resolution 2007-195, and Ordinance No. 2007-025 as amended to exclude subsection "c".

- 26. Call-Up of 1812 1st Avenue Second Unit (Z05-338) (Noticed on 3-20-07)**
Location: 1812 1st Avenue, APN: 010-0272-004, Council District 4

Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** determining the project exempt under the California Environmental Quality Act, 2) a **Resolution** approving Special Permit to allow the second floor of an existing accessory structure to be converted into a Second Residential Unit which does not meet the required fifteen (15) foot rear (south) setback and the required three (3) foot interior (left) side (east) setback, on 0.10± developed acres in the Standard Single Family (R-1) zone.

Contact: Robert W. Williams, Assistant Planner, (916) 808-7686; Joy Patterson, Principal Planner (916) 808-5607, Planning Department.

Action: Public comment given by Dave Todd, Deborah Kruse, Betsy Reifsnider, Bob Schlichting, Kathy Davis, and Charlene Kessler Moved, seconded, carried (Fong/McCarty, Abstain – Pannell) to close the public hearing and adopt Resolution Nos. 2007-196 and 2007-197.

Staff Reports (Item 27 and 28)

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

27. Update on the Sustainability Master Plan

Location: (Citywide)

Recommendation: 1) Review and comment on the City of Sacramento's draft Sustainability Master Plan – Creating a Sustainable City; 2) review, comment and direct a public outreach process for the Master Plan; 3) direct staff to return with the City's Sustainability Master Plan for final adoption in Summer 2007 integrating City Council and community comments; and 4) direct staff to return in Summer 2007 with recommended priority targets for the first phase implementation of the Master Plan based on feasibility and financial analyses.

Contact: Jonathan Rewers, Program Manager, 808-7590; Reina Schwartz, Director of General Services, 808-7195, General Services Department.

Action: Public comment given by Kathy Les and Panama Bartholomy. Approved recommendations and provided additional direction to staff to be brought back in the Summer of 2007 for final adoption and directed that an Ordinance Suspending Residential Photovoltaic Solar System Permit Fees be referred to Law and Legislation for consideration as soon as possible.

28. Alternative Development Standards (M06-035) (Passed for Publication on 3-27-07, Published on 3-30-07)

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

Recommendation: 1) Adopt a **Resolution** approving the Environmental Exemption per the California Environmental Quality Act Section 15301; and 2) adopt an **Ordinance** adopting interim regulations pertaining to design review in portions of the East Sacramento area.

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: Public comment given by George Raya, Jim Collins, J.D. Stack, Jack Kashtan, Emilie Kashtan, Mel Billingsley and Brian Holloway. Moved, seconded, carried (Cohn/Fong; Absent - Fargo) to adopt Resolution No. 2007-198, and Ordinance No. 2007-026.

Public Comments-Matters Not on the Agenda

- a. Robert Stuter – promoting “green” and LEED buildings in Sacramento

Council Comments-Ideas, Questions and Meeting/Conference Reports

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

Adjournment – 10:45 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the April 3, 2007 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk

