



REPORT TO COUNCIL City of Sacramento

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

CONSENT
December 18, 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 November 27, 2007 meeting.

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

Table of Contents:

November 27, 2007
Minutes

MINUTES

Tuesday, November 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 – 2:00 p.m.

Special Meeting Location
Hall of Honor at the Fire/Police Administration Facility
5770 Freeport Boulevard, Sacramento

Public Comments – None.

Public Safety Master Plan Policy Workshop

Recommendation: Review and comment on key policy issues and challenges.

Contact: Gus Vina, Assistant City Manager, (916) 808-5704, City Manager Office.

Action: Received and filed

Adjournment 4:37 p.m.

Open Session – 6:00 p.m.

Roll Call - A regular meeting of the Sacramento City Council was called to order by Mayor Fargo at 6:11 p.m. on Tuesday, November 27, 2007 at the Sacramento City Hall Council Chamber. All present.

Pledge of Allegiance – led by Mayor Fargo.

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

1. Approval of Council Minutes

Location: (Citywide)

Recommendation: Approve the afternoon and evening City Council, Redevelopment Agency, Housing Authority and Financing Authority Minutes for November 6, 2007.

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

Action: Approved recommendation

2. **Agreement: Processing of Recyclable Materials** (Continued from 10-30-07)
Location: (Citywide)

Recommendation: Adopt a **Resolution** approving the agreement between the City of Sacramento and BLT Enterprises of Sacramento to process recyclable materials collected by the City of Sacramento's Solid Waste Division.

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

Action: Adopted Resolution No 2007-847

3. **Agreement: Le Rivage Hotel Loan**
Location: 4350 Riverside Blvd., District 4

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to loan Captain's Table Hotel, LLC \$430,540 from the Convention Center Fund, (Fund 419) to ensure the payment of all remaining City development fees; and 2) authorizing the City Manager to execute loan documents for a \$430,540 loan to Captain's Table Hotel, LLC for the project.

Contact: Sheri Smith, Economic Development Project Manager, (916) 808-7204; James R. Rinehart, Citywide Economic Development Manager, (916) 808-5054, Economic Development Department

Action: Withdrawn by staff.

4. **Supplemental Agreement: Oak Park Sewer Diversion Pre-Design Study Project (XN30)**

Location: (District 6)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute Supplemental Agreement No. 1 to City Agreement No. 2007-0397 with Camp, Dresser and McKee, Inc. to complete Phase 2 of the project for an amount not to exceed \$108,386.

Contact: David L. Brent, Engineering Services Manager, (916) 808-1420; Rick Batha, Supervising Engineer, (916) 808-1448, Utilities Department.

Action: Adopted Resolution No 2007-848

5. **Supplemental Agreement: Capital Unity Center**
Location: (District 3)

Recommendation: Adopt a **Resolution** 1) ratifying the first amendment to City Agreement 2006-0794 and, 2) authorizing the City Manager to execute Supplemental No. 2 to City Agreement number 2006-0794 between the City of Sacramento and the Capital Unity Center.

Contact: Yvette Rincon, Legislative Analyst, (916) 808-5827, Office of the City Manager.

Action: Adopted Resolution No. 2007-849

6. Change Order: Animal Shelter Cattery Building (GA13)

Location: 2127 Front Street (District 4)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute Change Order No. 1 to Contract No. 2007-195 with Advantage Building Contractors to complete the necessary site work for the project in an amount not to exceed \$83,698; and 2) resetting the City Manager's signature authority.

Contact: Bonnie Slavin, Construction Program Manager, 808-8460; Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

Action: Adopted Resolution No. 2007-850

7. Change Order: Del Paso Boulevard Angled Parking Project (PN: TF81)

Location: Del Paso Boulevard between Arden Way and El Camino Avenue (District 2)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute Change Order no. 3 to Contract 2006-224 with Martin Brothers Construction, Inc. to compensate the contractor for the increased and decreased quantities of items of work necessary to complete the project in the amount of \$183,884; and 2) resetting City Manager's authority.

Contact: Ofelia Avalos, Assistant Engineer, (916) 808-5515; Jon Blank, Supervising Engineer, (916) 808-7914, Transportation Department.

Action: Adopted Resolution No. 2007-851

8. Change Order: Freeport Boulevard/ 21ST Street Two-Way Conversion Project (PN: SL01)

Location: Freeport Boulevard – Broadway to 4th Avenue and 21st Street – W Street to 4th Avenue (Districts 4 and 5)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute Change Order No. 2 to Contract 2007-157 with Pacific Excavation Inc, for rail crossing gate programming by Systra Consulting for an amount not to exceed \$74,49 and 2) resetting the City Manager's change order authority.

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

Action: Adopted Resolution No. 2007-852

9. **Citywide Unarmed Security Guard Services Contract [2/3 Vote Required]**

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1)) approving the list of unarmed security guard services contractors; 2) suspending competitive bidding; and 3) authorizing the Procurement Division to issue an invitation for bid to the eleven contractors recommended through a pre-qualification process.

Contact: Christopher Stewart, Procurement Services Manager, (916) 808-6202, General Services Department.

Action: Continued to December 4, 2007

10. **Grant Funding: Acknowledgement of Flood Risk**

Location: (District 1)

Recommendation: Adopt a **Resolution**, as required by the State Department of Water Resources for eligibility of grant funding, acknowledging the City Council's understanding that the levees protecting the Natomas Basin no longer provide 100-year flood protection.

Contact: David L. Brent, Engineering Manager, (916) 808-1420, Utilities Department.

Action: Adopted Resolution No. 2007-853

11. **(Pass for Publication) Oak Park Historic District to the Sacramento Register of Historic and Cultural Resources (M07-057)**

Location: Oak Park (District 5)

Recommendation: 1) Review an Ordinance placing the Oak Park Historic District in the Sacramento Register of Historic and Cultural Resources (Sacramento Register), and specifying the district's boundaries, contributing resources, significant features and characteristics; and 2) pass for publication the Ordinance title as required by City Charter 32c to be adopted December 4, 2007.

Contact: Kathleen Forrest, Associate Planner, (916) 808-5896; Roberta Deering, Senior Planner for Historic Preservation, (916) 808-8259, Development Services Department.

Action: Approved recommendation

12. **State and Federal Transportation Grant Funding – Selection of Projects**

Location: (Citywide)

Recommendation: Adopt a **Resolution** approving the submission of projects to Sacramento Area Council of Governments (SACOG) for federal and state funding.

Contact: Theresa Arnold, Special Projects Engineer, (916) 808-5514; Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.

Action: Adopted Resolution No. 2007-854

13. October 2007 Monthly Investment Transactions Report

Location: (Citywide)

Recommendation: Receive and file.

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

Action: Received and filed.

14. Donations of Lost and Unclaimed Property (Passed for publication on 11-20-07, published on 11-23-07)

Location: (Citywide)

Recommendation: Adopt the **Ordinance** amending sections 3.84.020 and 3.84.030 of Chapter 3.84 of the Sacramento City Code relating to Lost and Unclaimed Property.

Contact: Jim Maccoun, Captain, (916) 808-0417, Police Department.

Action: Adopted Ordinance No. 2007-088

Public Hearings (Items 15 - 18)

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

15. Extension of Check Cashing Centers Moratorium (M07-070) [4/5 Vote Required].

(Noticed on 11-16-07)

Location: (Citywide)

Recommendation: Conduct a public hearing and upon conclusion adopt an **Ordinance** to extend the 45-day moratorium on check cashing centers and facilities in the City of Sacramento for an additional ten months and fifteen days.

Contact: Jennifer Glen, Junior Planner, (916) 808-4771; Joy Patterson, Principal Planner, (916) 808-5607, Development Services Department.

Action: No public comment. Moved, seconded, carried (Sheedy/Pannell) to adopt Ordinance No. 2007-089

16. Call Up of a Decision of the Parks and Recreation Commission to Deny Mercy General Hospital a Permit to Remove a Heritage Tree (Noticed on 11-23-07)

Location: 800 39th Street (District 3)

Recommendation: Conduct a public hearing and upon conclusion, review, de novo, the application for a permit to remove one 32.5-inch diameter Bunya tree (*Araucaria Bidwillii*) and one 18.5-inch diameter interior live oak tree (*Quercus Wislizenii*).

Contact: Joe Benassini, Urban Forestry Manager, (916) 808-6258, Transportation Department.

Action: Councilmember Waters withdrew the call up when the applicant agreed to withdraw his application to remove the Bunya tree.

17. **Mercy Hospital and Sacred Heart Parish School (P04-215)** (Noticed on 11-14-07; passed for publication on 11-20-07, published on 11-23-07)

Location: Various properties located on the blocks bounded by H, J, 38th, and 41st Streets, Sacramento City Unified School District (District 3)

Recommendation: Conduct a public hearing and upon conclusion 1) adopt a **Resolution** certifying the Environmental Impact Report (EIR) and adopting the Mitigation Monitoring Plan (MMP); 2) adopt a **Resolution** approving the entitlements for the Mercy General Hospital, Sacred Heart Parish School, and residential development project; and 3) adopt three **Ordinances** rezoning various property for the Mercy General Hospital, Sacred Heart Parish School, and residential development sites.

Contact: Evan Compton, Associate Planner, (916) 808-5260; Stacia Cosgrove, Senior Planner, (916) 808-7110, Development Services Department.

Action: Public comment by applicant's team - Wendy Hoyt, Dr. Richard Caplon, Dr. Samuelson, Father Walton, John Lambeth.

Public comment in support - Erin DeMarois, Catie Brown, Matt Mahood, Kelly Brothers, Fred Teichert, Elizabeth Patahi, Jim Shively, Paul Menard, Bruce Ermann, Jim Donovan and Sharon Martinez

Public comment in opposition - Chuck Chikowski, Bill Yeates, Claudia Bordin, Joe Chavez, Dick Ratliff, Brian Smith, Rose Luther, Eileen Lynch, Pat Lynch, Teresa Conley, Steve Luther, James Hodgson, Cindy Oropeza and Chuck Czajkowski

In Support who did not speak- Patrice Coyle, Bill Camp, Kathy Dennis, Tila Madrigal, Tim Mickiewiu, , Richard Ashby, Jean Scrafton, Rita Spillane, Susan Mitchell, Tracy Staoky, Jenny Mason, Sarah Bordash, Daniel Sutherland, Matt Kelly, Anne Tingle, Jack Richardson, Nathan Carnahan, Niall Meagher, Stan Atkinson, Art Sponseller, Nancy Heffernay, Nadya Andrews, Sri Libby Fernandez, Binarette Miller and Frank Mugartegui.

Opposed who did not speak- Robyn Conley, Frank Mack, Barbara Vasquez, Susan McMillan, M. Clausen, Will Green, Martin Palomar, Elizabeth Ebrahimzadeh, Barbara Ruona, David Edwards, David Boyet, Nancy Lipps, Denise Dalton, Glenda Cheesman, Janet Maira, Jim and Joanie Ferry, Penelope Taylor, Dr. Richard Wertz, Brian Smith, Josh Hoover, and Roxanne Fuentes.

Those who submitted speaker slips, did not speak, and did not indicate support or opposition - J. D. Stack, Diane Martin and Susan Demarois.

Those who submitted a speaker slip "In Support" who asked not to speak but be noted in the record - Karen Johns-Smith, Nancy Cook, Sister Caritas Cunningham, Sister Clare Dalton, Irma Schmidt, Julie Rogers, Ken Rogasici, Jeanne Knapp, Sister Joan O'Connor, Janis Mellen, Joan Gann, Marjorie Koldinger, Ron Kampling, Cynthia Kuch, Jim Andersen, Bonnie Book, Barbara Morgan, Stephen Morgan, Samantha Cooper, Sharon Margetts, Cathleen Dougherty, Tim Micowitz, Joyce Higley, Sharon Martinez, Dick Stanley, Terri Scott, Ronald Kroll, Judee Daniels, Nancy Marre, Phil Leake,

Denise Creighton, Pam Garton, Martha Ruvalcaba, Brad Collins, Taveep Sakeikem, Chester Haines, Nick Digal, Sally Ravas, Jesse Trujillo, Ron Stever, Page West, Anna Chery, Galina Rusakov, Patricia Holcoub, Viven Bulette, Joleen Benoit, Richard Boje, Michad Chang, and Jack Diepenbroch.

Moved, seconded, carried (Cohn/Trethway/ Absent (recused) Fong, Noes – Hammond) to adopt Resolution Nos. 2007-855 as a mended and 2007-856 as amended and Ordinance Nos. 2007-090, 2007-091 and 2007-092.

- 18. McClellan Heights and Parker Homes Plan (M03-190)** (Passed for publication on 11-20-07, published on 11-23-07)

Location: North by Bell Avenue, the east by Winters Street, the south by Interstate 80, and the west by Raley Boulevard (District 2)

Recommendation: Continue to December 4, 2007 at 2:00 pm.

Contact: Remi Mendoza, Assistant Planner, (916) 808-5003; Jim McDonald, AICP, Senior Planner, (916) 808-5723, Planning Department.

Action: No public comment. Moved, seconded, carried (Sheedy/McCarty) to continue to December 4, 2007.

Public Comments- Matters Not on the Agenda – None

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments
 - 1. Del Paso Heights Redevelopment Advisory Committee
 - a. Nettie Scoggins (category A – resident property owner)
 - b. Mary Watts (category B – resident tenant)
 - c. Pastor Timothy Hinkle (category D – community based organization)
- b. Report Backs - None.
- c. Meeting/Conference Reports – None

Adjournment - 9:45 p.m. in memory of Fred Ernil Schuller, Jr.

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

Shirley Concolino, City Clerk