



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

CITY COUNCIL

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

Summary

Tuesday, August 26, 2008

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
Russ Fehr, 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 and all written material received is available at the meeting for public review.

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SUMMARY

Tuesday, August 26, 2008

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 - A regular meeting of the Sacramento City Council was called to order by Vice-Mayor Cohn at 2:08 p.m. Tuesday, August 26, 2008 at the Sacramento City Hall Council Chamber. Mayor Fargo and Councilmember McCarty absent.

Special Presentations/General Communications

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

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-Fargo/McCarty) to adopt the Consent Calendar in one motion except as indicated.

1. **(City Council/Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for August 7, 2008**

Location: (Citywide)

Recommendation: Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for August 7, 2008.

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

Action: Approved recommendation.

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

Location: (District 3)

Recommendation: Confirmation of board/commission appointment to the Sacramento Youth Commission – Miraya Barba Arroyo (Category A-3)

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

Action: Approved recommendation.

3. **(Pass for Publication) Ordinance Amendment: Sacramento Metropolitan Cable Television Commission**

Location: (Citywide)

Recommendation: 1) Review an Ordinance amending Section 5.28.300 of the Sacramento City Code and adding Article XIX to Chapter 5.28 of Title 5 of the Sacramento City Code relating to Implementation of the Digital Infrastructure and Video Competition Act of 2006 by the Sacramento Metropolitan Cable Television Commission; and 2) pass for publication of title as required by Sacramento City Charter 32 (c) to be adopted on September 2, 2008.

Contact: Michelle Heppner, Special Projects Manager, (916) 808-1226, Office of the City Manager.

Action: Approved recommendation.

4. **Agreements: Trash and Debris Abatement Services [2/3 Vote Required]**

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) suspending competitive bidding in the best interests of the City for trash and debris abatement services; 2) authorizing the City Manager to execute Master Services Agreements (MSA) for trash and debris abatements with Innovative Maintenance Solutions, Incorporated; North Coast Resource Management; JFD Enterprises; and Gray Construction and Securement Services, Incorporated for an initial term of one year, with the option to extend for two additional one year terms, up to a total agreement term of three years (including the initial term and all extensions) for an annual not to exceed amount of \$100,000 for each MSA; 3) authorizing the City Manager to execute such extension(s) for each MSA for the annual not to exceed amount of \$100,000, provided that sufficient funds are available in the budget adopted for the applicable Fiscal Year; and 4) rejecting all prior bids submitted in December 2007.

Contact: Ron O'Connor, Operations Manager, (916) 808-8183, Code Enforcement Department.

Action: Adopted Resolution No. 2008-587. AG2008-0860, AG2008-0861, AG2008-0862, AG2008-0863

5. **Agreements: On-Call Building Securement Services [2/3 Vote Required]**

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) suspending competitive bidding in the best interests of the City for on-call building securement services; 2) authorizing the City Manager to execute Master Services Agreements (MSA) for on-call building securement services with B-Line Construction Company, Capitol Reconstruction Company, Incorporated, and Gray Construction and Securement Services, Incorporated for an initial term of one year, with the option to extend for two additional one year terms, up to a total agreement term of three years (including the initial term and all extensions) for an annual not to exceed amount of \$100,000 for each MSA; 3) authorizing the City Manager to execute such extension(s) for each MSA for the annual not to exceed amount of \$100,000, provided that sufficient funds are available

in the budget adopted for the applicable Fiscal Year; and 4) rejecting all prior bids submitted in December 2007.

Contact: Ron O'Connor, Operations Manager, (916) 808-8183, Code Enforcement Department.

Action: Adopted Resolution No. 2008-588. AG2008-0864, AG2008-0865, AG2008-0866

6. Agreements: Collapsing/Demolition of Immediately Dangerous Building Services [2/3 Vote Required]

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) suspending competitive bidding in the best interests of the City for collapsing/demolition of dangerous buildings services; 2) authorizing the City Manager to execute Master Services Agreements (MSA) for collapsing/demolition of dangerous building services with Advantage Demolition and Engineering; Evans Brothers, Incorporated; and G. W. Demolition for an initial term of one year, with the option to extend for two additional one year terms, up to a total agreement term of three years (including the initial term and all extensions) for an annual not to exceed amount of \$100,000 for each MSA; 3) authorizing the City Manager to execute such extension(s) for each MSA for the annual not to exceed amount of \$100,000, provided that sufficient funds are available in the budget adopted for the applicable Fiscal Year; and 4) rejecting all prior bids submitted in December 2007.

Contact: Ron O'Connor, Operations Manager, (916) 808-8183, Code Enforcement Department.

Action: Adopted Resolution No. 2008-589. AG2008-0867, AG2008-0868, AG2008-0869

7. (Pass for Publication) Ordinance Amendment: Weed and Rubbish Abatement

Location: (Citywide)

Recommendation: 1) Review an ordinance amending Sections 8.28.010 through 8.28.040 of Title 8 of the Sacramento City Code relating to Weed and Rubbish Abatement under Health and Safety; and 2) pass for publication the ordinance title as required by the Sacramento City Charter Article III, paragraph 32(c) to be adopted on September 2, 2008.

Contact: Troy Malaspino, Assistant Chief, Fire Marshal, (916) 808-1620, Fire Department.

Action: Approved recommendation.

8. Contract: Sundance Park Phase II Project (L19165000)

Location: 4742 Windsong Street (District 1)

Recommendation: Adopt a **Resolution** 1) approving the contract specifications and awarding the contract to JM Slover, Inc. to develop Phase II of the project for an amount not to exceed \$124,160; and 2) authorizing the City Manager to execute the contract for the project.

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

Action: Adopted Resolution No. 2008-590. CO2008-207

9. **Cooperative Agreement Amendment: Interstate 5 (Boat Section) Rehabilitation Project (T15088700)**

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) approving Amendment Number 1 to the Cooperative Agreement between the City of Sacramento and the State of California, Department of Transportation increasing State's total funding contribution by \$500,000; 2) authorizing the City Manager to execute the amendment to the Cooperative Agreement; and 3) appropriating the additional State funding in the amount of \$500,000 to the project.

Contact: Hector Barron, City Traffic Engineer, (916) 808-2669, Transportation Department.

Action: Removed from consent calendar. Moved, seconded, carried (Tretheway/Fong; Absent – Fargo/McCarty) to adopt Resolution No. 2008-591.

AG2008-0230-1

10. **Elder Creek Neighborhood Traffic Management Program Project (S15071131)**

Location: Morrison Creek on the north, Logan Street on the east, Elder Creek Road on the south and Bibbs Drive on the west (District 6)

Recommendation: Adopt a **Resolution** approving the Elder Creek Neighborhood Traffic Management Plan (NTMP) Project - Phase 1 Traffic Calming Plan.

Contact: Debb Newton, Program Analyst, (916) 808-6739; Angie Louie, Senior Engineer, (916) 808-7921, Transportation Department.

Action: Adopted Resolution No. 2008-592.

11. **Summary Vacation: Alleyway Bounded by Arden Way and Calvados Avenue between Forrest Street and Oxford Street**

Location: Alleyway between Arden Way, Calvados Avenue, Forrest Street and Oxford Street (District 2)

Recommendation: Adopt a **Resolution** vacating the public alleyway between Arden Way, Calvados Avenue, Forrest Street and Oxford Street reserving to the City a public service easement.

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

Action: Adopted Resolution No. 2008-593.

12. Capital Improvement Projects (CIP) and Transfer and Appropriation of Funds

Location: Del Paso Road between El Centro Road and Interstate 5, East side of El Centro Road fronting the Sundance Lake Subdivision (District 1)

Recommendation: Adopt a **Resolution** 1) establishing the Del Paso Road Landscaping Project (T15095800); 2) establishing the El Centro Road Landscaping Project (T15095900); 3) transferring \$120,000 from the Major Street Construction Fund (Fund 2007) in the Overwidth Pavement Reimbursement Program (T15957300) to T15095800; 4) transferring \$120,000 from the Major Street Construction Fund (Fund 2007) in the Overwidth Pavement Reimbursement Program (T15957300) to T15095900; and 5) authorizing the City Manager to establish a \$180,000 revenue and expenditure budget in T15095900 in the CIP Reimbursable Fund (Fund 3702) from Gateway West Subdivision Project fair share contributions for the project.

Contact: Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.

Action: Adopted Resolution No. 2008-594.

13. Agreement: Marysville Boulevard Streetscape Master Plan Project (T15086100)

Location: Marysville Boulevard between the intersections of Harris Avenue and Roanoke Avenue (District 2)

Recommendation: Adopt a **Resolution** approving a professional services agreement with BKF Engineers for an amount not to exceed \$96,831 to develop a master plan for the project.

Contact: Edward Williams, Associate Engineer (916) 808-8288; Ryan Moore, Supervising Engineer, (916) 808-8279, Transportation Department.

Action: Adopted Resolution No. 2008-595. AG2008-0870

14. Agreement: R Street Market Plaza Project (T15068300)

Location: R Street between 16th Street and 18th Street. Location Map – Exhibit A of Resolution (Districts 3 and 4)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute a professional services agreement with Mark Thomas & Company, Inc. to complete preliminary engineering and attain environmental approval for the project in an amount not to exceed \$495,092.

Contact: Cecilyn Foote, Associate Engineer (916) 808-6843; Ryan Moore, Senior Engineer (916) 808-8279, Transportation Department.

Action: Adopted Resolution No. 2008-596. AG2008-0871

15. Contract: Root Control Application 2008 Project (X14002800)

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) approving the contract specifications; 2) awarding the contract to Root Tamers to treat the sanitary sewer system for root intrusion that will aid the City to protect the sanitary sewer lines from possible blockages that can result in sanitary sewer overflows for an amount not to exceed \$189,037; and 3) transferring \$130,000 from the Root Control Application 2009 Project (X14003400, Fund 6006) to the project.

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

Action: Adopted Resolution No. 2008-597. CO2008-208

16. Agreement: Sacramento Municipal Utilities District (SMUD) Electric Billing Error at E.A. Fairbairn Water Treatment Plant

Location: 7501 College Town Drive (District 3)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute a Billing Settlement Agreement with SMUD, for additional payments to correct SMUD's electric service billing error at the E.A. Fairbairn Water Treatment Plant, in the amount of \$916,000.

Contact: Michael Yee, Utilities Department, Plant Services Division Manager, (916) 808-5670, Rick Matsuo, Utilities Department, Supervising Engineer, (916) 808-1728, Utilities Department.

Action: Removed from consent calendar. Moved, seconded, carried (Waters/Tretheway; Absent – Fargo/McCarty; Recused - Cohn) to adopt Resolution No. 2008-598. AG2008-0872

17. Agreement: FY2008/09 National Pollutant Elimination System (NPDES) Program Stormwater Monitoring Services (PN: W14001600)

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute a professional services agreement with Larry Walker Associates, Inc. (LWA), to provide Stormwater Monitoring Services for FY2008/09 for an amount not to exceed \$625,352; and 2) amending the FY2008/09 Revenue and Expenditure Budgets (Fund 3702) for the project for the reimbursement from the County of Sacramento and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova for their share of the costs in the amount of \$415,859.08.

Contact: David L. Brent, Engineering Services Manager, (916) 808-1420; Sherill Huun, Supervising Engineer, (916) 808-1455, Utilities Department.

Action: Adopted Resolution No. 2008-599. AG2008-0873

18. Disposal of Municipal Solid Waste (MSW) and Green Waste at North Area Recovery Station (NARS)

Location: County of Sacramento, North Area Recovery Station (District 2)

Recommendation: Adopt a **Resolution** authorizing the payment of \$76,661.50 to the County of Sacramento for use of the North Area Recovery Station (NARS) for the disposal of Municipal Solid Waste (MSW) and Green Waste storage and transfer.

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. 2008-600.

Staff Reports (Items 19 – 22)

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

19. Agreement/Extension/Negotiation: Waste-to-Energy Project

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing 1) the City Manager to execute Principles of Agreement between the City and U.S. Science and Technology Corporation concerning development of a waste-to-energy facility; 2) an extension for an additional 90 days, of the exclusive right to negotiate period with U.S. Science and Technology; and 3) the negotiation of definitive contractual terms with U.S. Science and Technology related its development and operation of the proposed waste-to-energy project.

Contact: Tom Zeidner, Senior Development Project Manager, (916) 808-1931, Office of the City Manager.

Action: Public comment given by Nick Lapis, Daniel Rosenbaum, Bradley Angel, Rafael Aguilera, Richard Esquinel, Kit Miyamoto and Steve Ayers. Moved, seconded, carried (Hammond/Waters; Absent – Fargo/McCarty; Recused – Cohn) to adopt Resolution No. 2008-601. AG2008-0874

20. Agreements: Sales Tax Revenues of Vehicle Dealers and a Sales Tax Sharing Agreement Regarding Mel Raption Honda

Location: Business 80 between Watt and Fulton Avenues (Citywide and District 2)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute 1) an Agreement between the City of Sacramento and the County of Sacramento regarding the Joint Support and Apportionment of Sales Tax Revenues of Vehicle Dealers and 2) a Sales Tax Sharing Agreement regarding Mel Raption Honda.

Contact: David L. Spaur, Economic Development Director, (916) 808-8196, Economic Development Department.

Action: Public comment given by Russ Fehr. Moved, seconded, carried (Sheedy/Pannell; Absent – Fargo/McCarty) to adopt Resolution No. 2008-602.

AG2008-0875, AG2008-0876

21. **(City Council/Housing Authority/Redevelopment Agency) Forrest Palms Senior Apartments**

Location: 1825 El Monte Avenue (District 2)

Recommendation: Adopt 1) a **Housing Authority Resolution** a) indicating the willingness of the Housing Authority of the City of Sacramento to issue up to \$4,500,000 in tax-exempt mortgage revenue bonds to provide acquisition, construction, and permanent financing for the project; b) authorizing an application to the California Debt Limit Allocation Committee (CDLAC) for authority to issue the bonds; c) authorizing the Interim Executive Director or her designee to execute all necessary documents associated with the transaction; 2) a **City Resolution** a) indicating that the City Council has conducted a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing related to the proposed acquisition, construction, and permanent financing of the project; and b) approving the issuance of tax-exempt obligations; 3) a **City Resolution** a) approving funding from City Home Investment Partnership (HOME) funds for a Sacramento Housing and Redevelopment Agency (Agency) loan of up to \$885,000 for the project; b) de-fund \$240,000 from Westview Ranch Apartments, a completed project, for the purpose of reallocating to the project; c) authorizing an Agency Budget amendment transferring up to \$645,000 in City HOME funds to the project; and d) authorizing the Interim Executive Director or her designee to execute a commitment letter and related loan documents; and 4) a **Redevelopment Agency Resolution** a) approving funding from Tax Increment (TI) funds for a City Redevelopment Agency loan of up to \$1,815,000 for the project; b) authorizing an Agency Budget amendment transferring up to \$1,815,000 in TI funds to the Project; and c) authorizing the Interim Executive Director to execute a commitment letter, an Owner's Participation Agreement (OPA), and related loan documents.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1316; Christine Weichert, Assistant Director, Housing and Community Development, (916) 440-1353, Sacramento Housing and Redevelopment Agency.

Action: City Clerk, Shirley Concolino, noted for the record that the Sacramento Housing and Redevelopment Agency had noticed this item as a public hearing. It was noticed as such on August 12, 2008.

No public comment. Moved, seconded, carried (Sheedy/Tretheway; Absent – Fargo/McCarty) to close the public hearing and adopt Housing Authority Resolution No. 2008-014 and City Council Resolutions No. 2008-603 and 2008-604 and Redevelopment Agency Resolution No. 2008-066.

22. **Regional Transit Budget Update**

Location: (Citywide)

Recommendation: Receive and file.

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

Action: Received and filed.

Public Comments-Matters Not on the Agenda

- a. Sharon Hack – bicycle safety

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments-None.
- b. Reports Back
 - 1. Pannell – permitting house parties
 - 2. Hammond – requiring strip malls to notify city of name of property manager
 - 3. Waters – need ability to site half-plexes for code violations even if it's just one half that is not compliant
- c. Meeting/Conference Reports – None

Recess – 4:30 p.m.

Reconvene at 5:00 p.m.

Roll Call - A regular meeting of the Sacramento City Council was called to order by Vice Mayor Cohn at 5:04 p.m. Tuesday, August 26, 2008 at the Sacramento City Hall Council Chamber. Mayor Fargo and Councilmember McCarty absent.

Adjournment – 5:10 p.m.