



## REPORT TO COUNCIL City of Sacramento

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

CONSENT  
October 23, 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 for October 2, 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  
Financing Authority**

CITY COUNCIL

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

# Minutes

**Tuesday, October 2, 2007**

**City Hall-915 I Street, 1<sup>st</sup> 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

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## 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)

Live videostreams and indexed archives of meetings are available via the internet. Visit [http://www.cityofsacramento.org/webtech/streaming\\_video/live\\_council\\_meetings.htm](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, October 2, 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** - A regular meeting of the Sacramento City Council was called to order by Vice-Mayor McCarty at 2:08 p.m. on Tuesday, October 2, 2007 at the Sacramento City Hall Council Chamber. Mayor Fargo absent.

## **Special Presentations/General Communications**

- a. **Proclamation recognizing October 2007 as “Archives Month”.**  
**Action:** Proclamation presented to Marcia Eymann and Nancy Zimmelman
  
- b. **Proclamation Declaring the Week of October 1, 2007 as Customer Service Week**  
**Action:** Proclamation presented to Patti Bisharat

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

## Consent Calendar (Items 1 - 13)

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, Absent – Fargo) 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 September 11, 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 appointment to the Community Racial Profiling Commission – Daniela Lopez-Garcia.  
**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 an Application Period for Various Boards and Commissions**

**Location:** (Citywide)

**Recommendation:** Open an application period for the Sacramento Youth Commission to open 10/3/07 with applications due 11/2/07.

**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. Agreement: 1801 L Street Project**

**Location:** (District 3)

**Recommendation:** Adopt a **Resolution** authorizing the City Manager to execute the Public Improvement Reimbursement Agreement with 1801 L Street Associates LP in the amount of \$191,127 for the reimbursement of costs related to the design and construction of off site infrastructure required in connection with a mixed-use residential project.

**Contact:** Jim Rinehart, Citywide Division Manager, (916) 808-5054, Economic Development Department.

**Action:** Adopted Resolution No. 2007-718

**5. Supplemental Agreement: Residential Development at the CalPERS Headquarters Site.**

**Location:** Between 3<sup>rd</sup>, 7<sup>th</sup>, R St., and Q St. (District 1)

**Recommendation:** Adopt a **Resolution** authorizing the City Manager to execute Amendment No. 1 to City Agreement 2001-095 between the City and the California Public Employees' Retirement System ("CalPERS") related to residential development at the CalPERS Headquarters site to update the residential component's description and the schedule for development to conform to CalPERS' current development plans for the site.

**Contact:** Tom Zeidner, Sr. Economic Development Project Manager, 808-1931, Economic Development Services Department.

**Action:** Adopted Resolution No. 2007-719

**6. Supplemental Agreement: Formation of Midtown Sacramento Property and Business Improvement District (PBID)**

**Location:** Midtown Sacramento (Districts 1, 3 and 4)

**Recommendation:** Adopt a **Resolution** authorizing Supplement No. 1 to City Agreement 2006-0773 with the Midtown Business Association in a total amount of \$45,000 for the formation of the Midtown Property and Business Improvement District

**Contact:** Jim Rinehart, Citywide Division Manager, 808-5054, Economic Development Services Department.

**Action:** Adopted Resolution No. 2007-720

**7. Supplemental Agreement: FY2007/08 National Pollutant Discharge Elimination System (NPDES) Stormwater Monitoring Project (WM66)**  
**Location: (Citywide)**

**Recommendation:** Adopt a **Resolution** 1) authorizing the City Manager to execute Supplemental Agreement No. 2 to City Agreement No. 2005-0194 with Larry Walker Associates, Inc. (LWA), to provide Stormwater Monitoring Services for FY2007/08 for an amount not to exceed \$572,447, and 2) amending the FY2007/08 Revenue and Expenditure Budgets (Fund 248) for the project for the reimbursement from other entities in the amount of \$380,677.

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

**Action:** Adopted Resolution No. 2007-721

**8. Contract: Sump 2 Electrical Improvements Phase I Project (PN: XN46)**  
**Location:** 3530 Riverside Boulevard (District 4)

**Recommendation:** Adopt a **Resolution** 1) approving the contract plans and specification; and 2) awarding the contract to Clyde Steagall Inc. to install a new switchgear for pumps 9, 10, and 11 for an amount not to exceed \$1,047,077.

**Contact:** David L. Brent, Engineering Manager, 808-1420, Dave Hansen, Supervising Engineer, 808-1421, Department of Utilities.

**Action:** Adopted Resolution No. 2007-722

**9. Change Order: Main Avenue Bridge Replacement Project (PN: TF07)**  
**Location:** Main Avenue Bridge over Natomas East Main Drainage Canal (Districts 1 and 2)

**Recommendation:** Adopt a **Resolution** authorizing the City Manager to execute final Change Order No. 7 to CO2005-015 in the amount of \$389,980 with MCM Construction, Inc.

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

**Action:** Adopted Resolution No. 2007-723

**10. Transmittal of SETA Operating Budget for Fiscal Year 2007-2008**  
**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** approving Sacramento Employment and Training Agency (SETA) Operating Budget for Fiscal Year 2007-2008

**Contact:** Leyne Milstein, Budget Manager, (916) 808-8491, Finance Department.

**Action:** Adopted Resolution No. 2007-724

**11. (City Council) Certification of the Alkali Flat Redevelopment Advisory Committee (RAC) Election**

**Location:** Alkali Flat Redevelopment Area, (Districts 1 and 3)

**Recommendation:** Adopt a **City Resolution** 1) certifying the nomination and election process conducted for the Alkali Flat RAC, and 2) certifying the results of the Alkali Flat RAC election held on August 23, 2007.

**Contact:** Lisa Bates, Director, Housing and Community Development, (916) 440-1316; Jim Hare, Assistant Director of Housing and Community Development, (916) 440-1313, Sacramento Housing and Redevelopment Agency.

**Action:** Adopted Resolution No. 2007-725

**12. (Redevelopment Agency/City Council) Acquisition of 6243 Logan Street for Sim Park**

**Location:** 6243 Logan Street (Army Depot Redevelopment Project Area )(District 6)

**Recommendation:** 1) Adopt a **Redevelopment Agency Resolution** a) setting just compensation for the property as the fair market value as established by appraisal; b) authorizing transfer of the property to the City and make related findings; c) amending the 2007 Sacramento Housing and Redevelopment Agency budget to transfer \$284,000 of Army Depot 2006 Tax Exempt Bond funds to the project to fund all actions necessary to purchase the properties and transfer the property to the City of Sacramento; and d) approving the Relocation Plan and Replacement Housing Plan for the residential unit; and 2) Adopt a **City Resolution** a) approving the Relocation Plan for the eligible tenant of the property; and b) authorizing the City Manager to accept title to the property, if purchased, from the Sacramento Housing and Redevelopment Agency for the expansion of Sim Park, and to execute any documents and to take such additional actions as necessary to complete the transaction.

**Contact:** Lisa Bates, Director, Housing and Community Development, (916) 440-1316; Chris Pahule, Assistant Director, Housing and Community Development, (916) 440-1350; J.P. Tindell, Parks Planning & Development Manager, (916) 808-8234, Sacramento Housing and Redevelopment Agency.

**Action:** Removed from consent calendar by Vice-Mayor McCarty Public comment given by Irene Rowland Moved, seconded, carried (McCarty/Pannell; Absent – Fargo) to adopt Redevelopment Agency Resolution No 2007-052 and City Resolution No 2007-726

**13. (Redevelopment Agency) Acquisition of 8128 and 8140 Elder Creek Road**

**Location:** 8128 and 8140 Elder Creek, Army Depot Redevelopment Project Area (District 6)

**Recommendation:** Adopt a **Redevelopment Agency Resolution** 1) setting just compensation for the properties located at 8128 Elder Creek Road as fair market value as established by the listed sale price and for the property located at 8140 Elder Creek Road as the fair market value as established by appraisal; 2) amending the 2007 Sacramento Housing and Redevelopment Agency (SHRA) budget to transfer \$720,000 of Army Depot 2006 Taxable Bond Funds to the projects to fund all actions necessary to purchase this property.

**Contact:** Lisa Bates, Director, Housing and Community Development, (916) 440-1316; Chris Pahule, Assistant Director, Housing and Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency.

**Action:** to adopt Redevelopment Agency Resolution No 2007-053

### **Public Hearings (Item 14)**

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

**14. Annexation No. 17 to the Neighborhood Park Maintenance Community Facilities District (CFD) No. 2002-02 (Noticed on 8-31-07)**

**Location:** 22 separate areas (Districts 1, 2, 3, 4, 5 & 6)

**Recommendation:** Conduct a public hearing and upon conclusion adopt a **Resolution** establishing the CFD annexation, providing for Levy of Special Tax and calling for a Special Election on October 19, 2007

**Contact:** Salina Cheung, Program Specialist, (916) 808-5236; Mark Griffin, Fiscal Manager, (916) 808-8788, Planning Department

**Action:** No public comment. Moved, seconded, carried (Cohn/Fong, Absent – Fargo) to close the public hearing and adopt Resolution No 2007-727

### **Staff Reports (Item 15 and 16)**

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

**15. Installations of Solar-Powered Water Heating Systems on Existing Residences (Noticed on 9-21-07, passed for publication on 9-25-07, published on 9-28-07)**

**Location:** (Citywide)

**Recommendation:** Adopt an **Ordinance** suspending through December 31, 2009, all City imposed fees related to the installation of solar-powered water heating systems on existing residences.

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

**Action:** Moved, seconded, carried (Cohn/Fong; Absent – Fargo) to adopt Ordinance No. 2007-076

**16. Agreement: Florin Road Corridor Plan (LR07-008) (Continued from 9-18-07) [To Be Delivered]**

**Location:** Florin Road Corridor from Tamoshanter Way to Stockton Boulevard (Districts 5 and 8)

**Recommendation:** Adopt a **Resolution** authorizing the City Manager to execute an agreement with the County of Sacramento to jointly prepare the Plan to promote infill and economic development for both the City and the County.

**Contact:** Remi Mendoza, Assistant Planner, (916) 808-5003, Planning Department.

**Action:** Moved, seconded, carried (Pannell/Fong, Absent – Fargo) to adopt Resolution No 2007-728

### **Information Reports (Item 17)**

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

**17. Notification of Subdivision Improvement Agreement for Evergreen Phase 2 (P06-029)**

**Location:**

East side of Calvados Avenue between Evergreen Street and Green Street (District 2)

**Recommendation:** Receive and file.

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

**Action:** Received and filed

### **Public Comments- Matters Not on the Agenda**

- a. Ron Emslie – SHRA Director replacement
- b. Linda Roberts – Lula Mae Jones passing

### **Council Comments-Ideas, Questions and Meeting/Conference Reports**

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

### **Closed Session**

#### **City Council**

- a. **Pursuant to Government Code section 54956.9 (c), pertaining to the initiation of litigation. One potential case.**

**Action:** Withdrawn by City Attorney

**Recess** - 2:40 p.m.

### **Reconvene – 6:00 p.m.**

**Roll Call** - A regular meeting of the Sacramento City Council was called to order by Vice-Mayor McCarty at 6:05 p.m. on Tuesday, October 2, 2007 at the Sacramento City Hall Council Chamber. Mayor Fargo absent

**Pledge of Allegiance** – led by Army Captain Christopher McCarty.

**Closed Session Report** – None

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 - None.**

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

### **Public Hearings (Items 18 and 19)**

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

- 18. E Street Housing (P06-101)** (Noticed on 9-20-07, passed for publication 9-25-07, published 9-28-07)

**Location:** 1523 E Street (District 3)

**Recommendation:** Conduct a public hearing and upon conclusion adopt 1) a **Resolution** determining the project exempt from environmental review; 2) a **Resolution** amending the Central City Community Plan Land Use Map from Heavy Commercial to Multi-Family; 3) a **Resolution** approving a tentative subdivision map and special permit; and 4) an **Ordinance** rezoning from C-4 to R-4.

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

**Action:** No public comment. Moved, seconded, carried (Cohn/Tretheway, Absent – Fargo) to adopt Resolution Nos 2007-729, 2007-730, 2007-731 and Ordinance No. 2007-077.

- 19. Park Riviera Place Subdivision (P06-116)**

**Location:** 6655 Park Riviera Way Sacramento (District 7)

**Recommendation:** Continue to 11-13-07 at 6 p.m.

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

**Action:** Moved, seconded, carried (Waters/Fong, Absent – Fargo) to continue the public hearing to November 13, 2007 at 6:00 p.m.

### **Staff Reports (Item 20)**

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

- 20. Downtown Sacramento Partnership-Strategic Plan**

**Location:** (Citywide)

**Recommendation:** Receive and file.

**Contact:** Leslie Fritzsche, Economic Development Manager, (916) 808-540, Economic Development 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
  - 1. Tretheway – asked city attorney to investigate the amegus brief re same sex couple's right to marry
  - 2. Tretheway – requested city ordinance for Natomas development with the condition of approval that homeowners pay the first 2 years of flood insurance for new homes without 100 year protection
  - 3. McCarty – asked city attorney for legal opinion on obligations of potential Cal Expo entities in terms of property tax, leases, purchases, etc.
- c. Meeting/Conference Reports – None

- 21. Northgate 880/Panhandle** (Passed for publication on 6-12-07, published on 6-15-07, noticed on 7-19-07; continued from 6-26-07, 7-24-07, 7-31-07, 8-14-07, 9-4-07, 09-18-07)

**Location:** South of Elkhorn Boulevard, north of Interstate 80, west of Northgate Boulevard and Sorento Road, and east of Gateway Park Boulevard and the Northpointe Park Planned Unit Development (District 1)

**Recommendation:** Continue to October 16, 2007.

**Action:** Moved, seconded, carried (Fong/Sheedy; Absent – Fargo/Hammond) to continue to October 16, 2007.

**Adjournment** – 7:00 p.m. in memory of Ronald Sellers, Sy Opper, Lula Mae Jones, and Rodrigo Rodriguez, Jr.