



REPORT TO COUNCIL City of Sacramento

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

CONSENT
August 14, 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 July 31, 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, City Clerk

Table of Contents:

July 31, 2007
Minutes



**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, July 31, 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 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.

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, July 31, 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 – 2:07 p.m. Waters absent. Fong arrived at 2:35 p.m.

Special Presentations/General Communications – None.

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 (Pannell /Cohn; Absent – Fong/Waters) to adopt the Consent Calendar in one motion except as indicated.

1. Administrative Matter: REA Building Agreement Clarification

Location: Sacramento Valley Station (District 1)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute a parking agreement with REA Master Tenant LP for 44 parking spaces located adjacent to the REA building at Sacramento Valley Station; and 2) repealing Resolution 2007-539 as that Resolution incorrectly identified Carson Development as the contracting party.

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

Action: Adopted Resolution No. 2007-566

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 July 17, 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 General Plan Advisory Committee, to open 08/01/07 with applications due 08/31/07.

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: Water Service Outside City Limits

Location: 2840 El Centro Road (District 1)

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute a Water Service Agreement with the Building Trades Association and Electrical Workers to provide water service outside the City limits.

Contact: David L. Brent, Engineering Manager, (916) 808-1420, Robert Thaug, Supervising Engineer, (916) 808-8891, Utilities Department.

Action: Continued to August 9, 2007

5. Agreement: Plan Review/Inspection Consulting Services (Continued from 7-17-07, 7-24-07)

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute Professional Services Agreements (PSA) with **a)** TRB and Associates in an amount not to exceed (NTE) amount of \$100,000 for Plan Review/Inspection Services; **b)** Shuhaibar Engineers in the annual NTE amount of \$70,000 for Structural Plan Review Consulting Services; **c)** California Code Check in the annual NTE amount of \$100,000 for Plan Review/Inspection Consulting Services; **d)** Turley and Associates in the annual NTE amount of \$25,000 for Plan Review Consulting Services; **e)** McKenny Krug in the annual NTE amount of \$100,000 for Plan Review Consulting Services; and **f)** Hughes Associates in the annual NTE amount of \$25,000 for Plan Review/Inspection Consulting Services; and 2) authorizing the City Manager to execute one year extensions for each PSA for the same yearly NTE amount as provided above for total agreement term for each PSA not to exceed three years (including the initial term and extensions), provided that sufficient funds are available in the budget adopted for the applicable fiscal year.

Contact: Ed Short, Supervising Engineer (916) 808-8859; Carl Hefner, Deputy Chief Building Official, (916) 808-8779, Development Services Department.

Action: Continued to August 9, 2007.

6. Agreement: 2007/08 Entity Allocation and Expenditure

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) approving the 2007/08 Entity Allocation and Expenditure Agreement with the Sacramento Transportation Authority (STA) to provide for the allocation and expenditure of Measure A (Transportation Sales Tax) revenues between July 1, 2007 and June 30, 2008; and 2) authorizing the City

Manager to execute the 2007/08 Entity Allocation and Expenditure Agreement with STA.

Contact: Greta Ossman, Program Analyst, 808-5643; Dean Fujimoto, Supervising Financial Analyst, 808-5579, Transportation Department.

Action: Adopted Resolution No. 2007-567

7. **Contract: Design-Build Contract for George Sim Community Center Expansion Project (BC41)**

Location: 6207 Logan Street (District 6)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to execute a design-build contract with Brown Construction for the project in the amount of \$941,000 for design services associated with the project; and 2) directing staff to return to City Council upon completion of design services for authorization to proceed with the construction activities of the design-build contract.

Contact: David L. Morgan, Associate Architect, (916) 808-8425; Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

Action: Adopted Resolution No. 2007-568

8. **Contract: Del Paso Road Widening Project (PN: TW86)**

Location: Del Paso Road between Town Center Drive and the East Drainage Canal (District 1)

Recommendation: Adopt a **Resolution** 1) approving plans and specifications; 2) awarding the contract to Sierra Nevada Construction, Inc. in an amount not to exceed \$3,748,007; 3) appropriating \$666,259 from the North Natomas Community Improvement contingency (780-710-7012); 4) transferring \$940,758 (\$6,536 Fund 202 and \$934,222 Fund 207) from the City Overlay Project (PN: RM71); 5) transferring \$150,000 (Fund 209) from the Overwidth Paving Account (PN: TJ94); 6) transferring \$37,289 (Fund 790) from the Five Star Subdivision Project (PN: A092); and 7) transferring \$17,756 (Fund 712) from the North Natomas Library Project (PN: QA33) to the project.

Contact: Greg Smith, Associate Engineer, (916) 808-8364; Jon Blank, Supervising Engineer, (916) 808-7914, Transportation Department.

Action: Adopted Resolution No. 2007-569

9. **Contract: Leonardo Da Vinci School Detention Basin 26 Project (PN: WI71)**

Location: Portions of Freeport Boulevard, 23rd Avenue, Larson Way, 24th Avenue, 24th Street and Leonardo Da Vinci Elementary School (District 5)

Recommendation: Adopt a **Resolution** 1) approving the contract plans and specifications; and 2) awarding the contract to Sierra National Construction for an amount not to exceed \$2,260,720; and 3) transferring \$172,000 from the Sump 33 Detention Basin project (PN: WJ96) to the project.

Contact: David L. Brent, Engineering Services Manager, 808-1420; Andy Hunt, Supervising Engineer, 808-1408.

Action: Adopted Resolution No. 2007-570

10. **Change Order #02: Orchard Park Phase II Project(LK73)**
Location: 2938 West River Drive (District 1)
Recommendation: Adopt a **Resolution** authorizing the City Manager to execute Change Order #2 to CO2006-238, with JM Slover, Inc. to address a request by the community to add turf and irrigation around the tennis court for the project in the amount of \$69,202.
Contact: J.P. Tindell, Planning & Development Manager, (916) 808-1955, Parks and Recreation Department.
Action: Adopted Resolution No 2007-571
11. **(Pass for Publication) An Ordinance Requiring Mandatory Reporting of Theft or Loss of Firearms**
Location: (Citywide)
Recommendation: 1) Review the Ordinance adding section 9.32.180 to Chapter 9.32 of Title 9 of the Sacramento City Code; 2) pass for publication of the Ordinance title as required by Sacramento City Charter Section 32c to be adopted on August 9, 2007.
Contact: Capt. Jim Maccoun, (916) 808-0417, Police Department.
Action: Approved recommendation
12. **(Pass for Publication) An Ordinance Relating to Mandatory Maintenance of Firearm Ammunition Sales Logs**
Location: (Citywide)
Recommendation: 1) Review the Ordinance adding Chapter 5.66 to the Sacramento City Code; 2) pass for publication of the Ordinance title as required by Sacramento City Charter section 32c to be adopted on August 9, 2007.
Contact: Capt. Jim Maccoun, (916) 808-0417, Police Department.
Action: Approved recommendation
13. **Del Paso Regional Park Master Plan Update**
Location: 3565 Auburn Boulevard (District 2)
Recommendation: Adopt a **Resolution** approving the Del Paso Regional Park Master Plan update.
Contact: J.P. Tindell, Planning and Development Manager, 808-1955, Parks and Recreation Department.
Action: Adopted Resolution No 2007-572
14. **FY2006/07 Intermodal Project Budget Adjustments**
Location: Downtown/Railyards (District 1)
Recommendation: Adopt a **Resolution** 1) establishing a Capital Improvement Project; 2) authorizing the movement of property acquisition expenditures and budgets to the project; 3) amending the FY2006/07 Capital Improvement Program to record the \$30 million purchase within New Measure A (Fund 291 - \$27.5 million) and 2006

Capital Improvement Revenue Bond (Fund 713 - \$2.5 million); and 4) amending the FY2006/07 Capital Improvement Program to establish a \$25 million revenue and expense budget (CF42) for the City Council authorized property acquisition note (Resolution 2006-939).

Contact: Greta Ossman, Program Analyst, (916) 808-5643; Dawn Holm, Principal Management Analyst, (916) 808-5574; Dennis Kauffman, Accounting Manager, 808-5843, Transportation Department.

Action: Moved, seconded, carried (Pannell/Cohn; Absent – Fong/Waters; Noes - McCarty) to adopt Resolution No. 2007-573

15. Competitively Bid Public Works Construction Projects

Location: Citywide

Recommendation: Adopt a **Resolution** revising the Minimum Qualifications Questionnaire for competitively bid public works construction projects

Contact: David Flores, Jr., Administrative Analyst, 808-8930; Nicholas Theocharides, Engineering Services Manager, 808-5065, Transportation Department.

Action: Moved, seconded, carried (Cohn/Sheedy, Absent – Fong/Waters, Noes – Hammond) to adopt Resolution No. 2007-574

16. Grant: Edward Byrne Memorial Justice Assistance Grant Award

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager to accept an Edward Byrne Memorial Justice Assistance Grant award of \$475,880 from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance for the City's helicopter surveillance program; and 2) increasing the Police Department's Grant Expense and Grant Revenue Budgets in the amount of \$475,880

Contact: Sylvia Moir, Lieutenant, (916) 808-0866, Police Department.

Action: Adopted Resolution No 2007-575

17. (City Council) Agreement: Building Equity and Growth in Neighborhoods (BEGIN) Program Applications

Location: (Citywide)

Recommendation: Adopt a **City Resolution** authorizing the Executive Director of the Sacramento Housing and Redevelopment Agency (SHRA) to 1) submit applications to the California Department of Housing and Community Development (HCD) for funding under the BEGIN Program; 2) receive funding from HCD and to administer the BEGIN Program; 3) execute Standard Agreements and all related documents necessary to participate in the BEGIN Program, 4) adopt the BEGIN Program Guidelines as adopted by HCD on May 21, 2007, 5) adopt local BEGIN Mortgage Assistance Underwriting Guidelines for administration of the program; and 6) amend Agency Budget as funds are awarded.

Contact: Mary L. Lyon, Assistant Director, (916) 440-1399 ext. 1241, Sacramento Housing and Redevelopment Agency.

Action: Adopted Resolution No 2007-576

18. **(City Council/Redevelopment Agency) Acquisition of 4200 14th Avenue, Relocation Plan and Replacement Housing Plan**
Location: County of Sacramento District 1 of the joint County and City Stockton Boulevard Redevelopment Area

Recommendation: 1) Adopt a **City Resolution** approving the Relocation Plan for the residential unit; and, 2) adopt a **Redevelopment Agency Resolution** a) establishing just compensation for the property to be acquired at fair market value as determined by an independent appraisal; b) amending the 2007 Sacramento Housing and Redevelopment Agency budget to transfer \$620,000 of Stockton Boulevard tax increment funds to the project to fund all actions necessary to purchase the property, c) approving the Relocation Plan and Replacement Housing plan for the residential unit; and d) authorizing the Executive Director to take all actions necessary to voluntarily purchase the property for not substantially more than just compensation and take all actions necessary to redevelop the site.

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

Action: Adopted City Resolution No. 2007-577 and Redevelopment Agency Resolution No. 2007-043

Public Hearings (Items 19 - 21)

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

19. **Ordinance: Suspending All Fees Related to Installations of Photovoltaic (Solar) Systems on Existing Residences for the Calendar Years 2007-2009** (Noticed 7-20-07, passed for publication 7-24-07, published on 7-27-07)
Location: (Citywide)

Recommendation: Conduct a public hearing and upon conclusion adopt an **Ordinance** suspending fees for installation of photovoltaic systems on existing residences during the calendar years 2007-2009.

Contact: Chris Dougherty, Assistant Planner, (916) 808-5680; Bob Chase, Chief Building Official, (916) 808-8024 Development Services Department.

Action: No public comment. Moved, seconded, carried (McCarty/Cohn, Absent-Fong/Waters) to close the public hearing and adopt Ordinance No. 2007-062 with the condition that implementation would occur within 60-90 days.

20. **Wireless Fidelity (Wi-Fi) Antennas (M06-059)** (Noticed on 7-20-07, passed for publication on 7-24-07, published 7-27-07)
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); and 2) adopt an **Ordinance** amending sections 17.16.010 and 17.24.050 of Title 17 of the Sacramento City Code (The Zoning Code) exempting certain antennas from the requirement for a special permit.

Contact: Sandra Yope, Senior Planner, (916) 808-7158; Jason Hone, Junior Planner, (916) 808-5749, Development Services Department.

Action: No public comment. Moved, seconded, carried (Fong/Hammond, Absent-Waters) to close the public hearing and adopt Resolution No. 2007-578 and Ordinance No. 2007-063

21. **Newton Booth (P06-181)** (Noticed on 7-20-07, passed for publication on 7-24-07, published on 7-27-07)

Location: 2700 V Street, 2217 & 2250 27th Street (District 4)

Recommendation: Conduct a public hearing and upon conclusion 1) adopt a **Resolution** approving an exemption under the California Environmental Quality Act (CEQA) Guidelines Section 15332 (Infill); 2) adopt a **Resolution** amending the Central City Community Plan; and 3) adopt an **Ordinance** approving a rezoning from Two-Family Residential Special Planning District (R-1B SPD) and Multi-Family Residential Special Planning District (R-4 SPD) to Multi-Family Residential Special Planning District (R-5 SPD) to develop a 32 unit condominium development.

Contact: Michael York, Associate Planner, (916) 808-8239; Jeanne Corcoran, Senior Planner, (916) 808-5317, Development Services Department

Action: No public comment. Moved, seconded, carried (Fong/Cohn, Absent-Waters) to close the public hearing and adopt Resolution Nos. 2007-579, 2007-580 and Ordinance No. 2007-064

Staff Reports (Items 22)

22. **Justice for Neighbors (JFN)**

Location: (Citywide)

Recommendation: Receive and file.

Contact: Cassandra Jennings, Assistant City Manager, (916) 808-5704 and Gustavo Martinez, Supervising Deputy City Attorney, (916) 808-5346, City Attorney's Office, Sacramento Police Department, Solid Waste Department, Code Enforcement Department, and Neighborhood 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 – None
- c. Meeting/Conference Reports – None.

Recessed to Closed Session – 3:42 p m

City Council

- a) Pursuant to Government Code section 54957.6 to discuss matters pertaining to negotiations with recognized employee organizations: Sacramento Area Fire Fighters, Local 522. The purpose is to confer with the City's Chief Negotiator, Dee Contreras.
- b) Pursuant to Government Code section 54956.9(a), for a matter pertaining to pending litigation: Mauck v. City of Sacramento, Sacramento Superior Court Case No. 05AS00265.

Action: Withdrawn by City Attorney, Eileen Teichert

Reconvened – 6:00 p.m.

Roll Call – 6:08 p.m Waters absent.

Pledge of Allegiance - led by Mayor Fargo

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 (Item 23)

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

- 23. **Northgate 880/Panhandle (M05-031) (P05-077)** (Passed for publication on 6-12-07, published on 6-15-07, noticed on 7-19-07; continued from 6-26-07 and 7-24-07)
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 PUD (District 1)
Recommendation: Conduct a public hearing and upon conclusion 1) Adopt **a) a Resolution** adopting the Environmental Impact Report and Mitigation Monitoring Plan; **b) a Resolution** approving the Reorganization; **c) a Resolution** approving the Tax Exchange Agreement for (M05-031 – Northgate 880) – South of Del Paso Road; and **d) a Resolution** approving the Pre-Annexation Agreement for M05-031/Northgate 880 south of Del Paso Road;
2) Adopt **a) a Resolution** amending the General Plan Map land use designations; **b) a Resolution** amending the text of the North Natomas Community Plan; **c) a Resolution** amending the North Natomas Community Plan Map land use

designations; **d**) an **Ordinance** amending the text of the Zoning Code (Sacramento City Code, Title 17); and **e**) an **Ordinance** approving the Prezone for (P05-077 – Panhandle) – North of Del Paso Road;

3) Adopt **a**) an **Ordinance** approving the Development Agreement between the City of Sacramento and Dunmore Land Company, LLC., the Richter-Kazer 1993 Irrevocable Trust, BD Properties, LLC, and Tasso Peter Cononelos; **b**) an **Ordinance** approving the Development Agreement between the City of Sacramento and the Marie Krumenacher Trust, the Alice Krumenacher Trust, and Vaquero Land Holdings, LLC.; **c**) a **Resolution** approving the Finance Plan; **d**) a **Resolution** approving the Inclusionary Housing Plan (Panhandle North – Vaquero); **e**) a **Resolution** approving the Inclusionary Housing Plan (Panhandle Central and South – Dunmore); **f**) a **Resolution** approving the Inclusionary Housing Plan (Grant Joint Union High School District); **g**) a **Resolution** amending the General Plan Map land use designations; **h**) a **Resolution** amending the text of the North Natomas Community Plan; **i**) a **Resolution** amending the North Natomas Community Plan Map land use designations; **j**) an **Ordinance** approving the Prezone; and **k**) a **Resolution** establishing the Panhandle Planned Unit Development (PUD); and

4) Adopt a **Resolution** denying the Appeal of the Planning Commission's approval of various entitlements and approving the Tentative Master Parcel Maps, Tentative Subdivision Maps, and Subdivision Modifications for the Panhandle project.

Contact: Scot Mende, New Growth Manager, (916) 808-4756; Arwen Wacht, Associate Planner, (916) 808-1964, Planning Department.

Action: Public comment given by applicant Mr. Philips, and Tristan Godt, Brigit Barnes, Walt Seifert, Robert Wurgler, Jay Guzman, Chris Holm, Chris Paros, and Heidi Lattuada Moved, seconded, carried (Cohn/Sheedy, Absent-Waters) to continue the public hearing to August 14, 2007 6 00 p m

Staff Reports (Item 24)

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

24. Transportation Programming Guide

Location: (Citywide)

Recommendation: Receive and file.

Contact: Saed Hasan, Senior Engineer, (916) 808-7923; Tim Mar, Supervising Engineer, (916) 808-7531.

Action: Public comment given by Chris Holm. Council directed staff to incorporate comments and return at a future date.

Public Comments- Matters Not on the Agenda

- a. Eve Bowers – West Nile Virus Spraying
- b. Kim Glazzard – West Nile Virus Spraying
- c. Cheri Nelson – West Nile Virus Spraying

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. Board/Commission Appointments - None
- b. Report Backs
 - 1. Tretheway – allowable trash pickup times for 9th and J Streets (The Lofts)
- c. Meeting/Conference Reports – None.

Adjourned – 9:17 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the July 31, 2007 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk

