



# REPORT TO COUNCIL

## City of Sacramento

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

**CONSENT**  
July 22, 2008

Honorable Mayor and Members of the City Council, Financing Authority  
Housing Authority, and Redevelopment Agency

**Title: Approval of Council Minutes**

**Location/Council District:** (Citywide)

**Recommendation:**

Approve the afternoon and evening City Council, Redevelopment Agency, Housing Authority and Financing Authority for June 17, 2008.

**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.

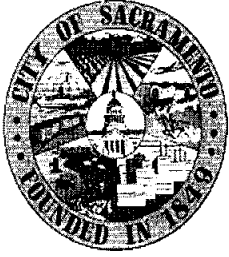
**ESBD Considerations:** Not Applicable.

Respectfully Submitted by:

  
Shirley Concolino, City Clerk

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Minutes for June 17, 2008



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

# Minutes

**Tuesday, June 17, 2008**

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

## CHARTER OFFICERS

Eileen Teichert, City Attorney  
Shirley Concolino, City Clerk  
Ray Kerridge, City Manager  
Russ Fehr, 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 and all written material received is available at the meeting for public review.

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/clerk/council-agendas/>.

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, June 17, 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 Mayor Heather Fargo at 2:08 on Tuesday, June 17, 2008, at Sacramento City Hall Council Chamber. All members present.

**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 – 26 and 36)

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

1. **(City Council/ Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for May 27, 2008**

**Location:** (Citywide)

**Recommendation:** Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for May 27, 2008.

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

**Action:** Approved recommendation.

2. **Open an Application Period for Various Boards and Commissions**

**Location:** (Citywide)

**Recommendation:** Open an application period for: 1) Sacramento Youth Commission to open 06/18/08 with applications due 07/18/08; 2) North Sacramento Redevelopment Advisory Committee to open 06/18/08 with applications due 07/18/08.

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

**Action:** Approved recommendation.

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

**Location:** (Citywide)

**Recommendation:** Confirmation of board/commission appointments to the 65<sup>th</sup> Street Redevelopment Advisory Committee – Michael Klein (Category B-1) and Cynthia Collins (Category B-3).

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

**Action:** Approved recommendation.

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

**Location:** (Citywide)

**Recommendation:** Confirmation of board/commission appointments to the North Sacramento Redevelopment Advisory Committee – Shane Curry (Category A) and Colleen Mulligan (Category D).

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

**Action:** Approved recommendation.

**5. Annual Housing Activity Report for the California State Department of Housing and Community Development**

**Location:** City Redevelopment Areas and Citywide

**Recommendation:** Receive and file.

**Contact:** Lisa Bates, Deputy Executive Director, (916) 440-1330; Christine Weichert, Assistant Director, Housing and Community Development, (916) 440-1353, Sacramento Housing and Redevelopment Agency.

**Action:** Received and filed.

**6. Annual Report of Financial Transactions of Community Redevelopment Agencies**

**Location:** (Citywide)

**Recommendation:** Receive and file.

**Contact:** Donald Cavier, Director of Finance, 440-1399 ext. 1220, Karen Lukes, Interim Finance Manager, 440-1399 ext. 1403, Sacramento Housing and Redevelopment Agency.

**Action:** Received and filed.

**7. CalHome Application**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** authorizing the Interim Executive Director or her designee to: 1) submit an application to the California Department of Housing and Community Development (HCD) for funding under the CalHome Program; 2) execute a Standard Agreement for such funding and any amendments thereto; 3) execute any related documents necessary to participate in the CalHome Program; 4) adopt local CalHome Program Guidelines; and 5) amend the Agency Budget to receive and expend not more than \$1,500,000 in CalHome funding for First-Time Homebuyer Mortgage Assistance and Owner-Occupied Rehabilitation activities.

**Contact:** Mary L. Lyon, Assistant Director, Real Estate and Construction Services, (916) 440-1399, x1241, Susan Perry, Homeownership Services Supervisor, (916) 264-1522, Sacramento Housing and Redevelopment Agency.

**Action:** Adopted Resolution No. 2008-395.

**8. (Pass for Publication) Interim Ordinance: Exempting Antennae Installations on City Street Light Poles from Planning Review (M08-027)**

**Location:** (Citywide)

**Recommendation:** 1) Review a Resolution approving the Environmental Exemption per the California Environmental Quality Act Section 15061 (b) (3); 2) review the Interim Ordinance exempting antennae installations on City street light poles from planning review; and 3) pass for publication the Interim Ordinance title as required by Sacramento City Charter 32(c) to be adopted June 24, 2008.

**Contact:** Jason Hone, Planner, (916) 808-5749; Joy Patterson, Principal Planner, (916) 808-5607, Development Services Department.

**Action:** Approved recommendation.

**9. Sewer Credits Approval: WEAVE, Inc.**

**Location:** (District 2)

**Recommendation:** Adopt a **Resolution** awarding a total of 26.67 Sacramento Regional County Sanitation District (SRCSD) connection fee credits to WEAVE, Inc.

**Contact:** Noreen James, Project Manager, (916) 808-5470, Economic Development Department.

**Action:** Adopted Resolution No. 2008-396.

**10. FY2008/2009 Business Improvement Area (BIA) Annual Budget Adoption**

**Location:** (Districts 1, 2, 5, 6)

**Recommendation:** Adopt 1) a **Resolution** for the Del Paso BIA budget; 2) a **Resolution** for Downtown Plaza BIA budget; 3) a **Resolution** for Franklin Boulevard BIA budget; 4) a **Resolution** for Old Sacramento BIA budget; and 5) a **Resolution** for Stockton Boulevard BIA budget.

**Contact:** Brad Wasson, Revenue Manager, (916) 808-5724, Finance Department.

**Action:** Moved, seconded, carried (Waters/Sheedy; Absent (Recused) Fargo/Sheedy) to adopt Resolution Nos. 2008-397, 2008-398, 2008-399, 2008-400 and 2008-401.

11. **Contract: North Natomas Library Project (QA33, B13000700)**  
**Location:** Southwest Corner of Del Paso and Library Street (District 1)  
**Recommendation:** Adopt a **Resolution 1)** approving the construction plans and specifications and awarding the construction contract to McCarthy Construction, the lowest responsive and responsible bidder, in an amount not to exceed \$6,998,000; and 2) authorizing the City Manager or the City Manager's designee to execute the contract for the project.  
**Contact:** Terry Grayson, Construction Manager, (916) 808-5829; Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

**Action:** Adopted Resolution No. 2008-402.

12. **Contract: Rooney Police Facility Roof Renewal Project (CE21, C13000500)**  
**Location:** 5303 Franklin Boulevard (District 5)  
**Recommendation:** Adopt a **Resolution 1)** approving the construction plans and specifications and awarding a construction contract to Madsen Roof Company, the lowest responsive and responsible bidder, in an amount not to exceed \$197,190; and 2) authorizing the City Manager or the City Manager's designee to execute the contract for the project.  
**Contact:** Tony Alexander, Operations General Supervisor, (916) 808-6360; Cynthia Kranc, Facilities Manager, (916)808-2258, General Services Department.

**Action:** Adopted Resolution No. 2008-403.

13. **Contract/Purchase: Front Loading Refuse Trucks**  
**Location:** (Citywide)  
**Recommendation:** Adopt a **Resolution 1)** awarding a contract to Western Truck Parts and Equipment Company, the lowest responsive and responsible bidder, in an amount not to exceed \$407,997; and 2) authorizing the City Manager or the City Manager's designee to execute the contract for the two front loading refuse trucks.  
**Contact:** Keith Leech, Fleet Manager, (916) 808-5869, General Services Department.

**Action:** Adopted Resolution No. 2008-404.

14. **Cooperative Purchase: Drinking Water Quality Project (ZH41, Z14001500)**  
**Location:** (Citywide)  
**Recommendation:** Adopt a **Resolution 1)** approving the use of the Metropolitan Water District (MWD) of Southern California contract to purchase an Inductively Coupled Plasma Mass Spectrometer (ICP/MS) from PerkinElmer LAS, Inc. in a total amount not to exceed \$152,125; and 2) authorizing the City Manager or the City Manager's designee to execute a purchase order for the project.

**Contact:** Marc Robles, Program Analyst, Procurement Services, (916) 808-6343; Craig Lymus, Interim Procurement Services Manager, (916) 808-6202, General Services Department.

**Action:** Adopted Resolution No. 2008-405.

**15. Donation: Surplus Vehicles**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** 1) approving the donation of a surplus City pick-up truck to the Historic Old Sacramento Foundation; and 2) approving the donation of a surplus City utility bed truck to Volunteers of America.

**Contact:** Keith Leech, Fleet Manager, (916) 808-5869; Craig Lymus, Interim Procurement Services Manager, (916) 808-6202, General Services Department.

**Action:** Adopted Resolution No. 2008-406.

**16. Purchase/Cooperative Agreement: Fuel for Fleet Equipment**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** 1) increasing the current contract with the County of Sacramento (WA00019302) to purchase additional fuel from Hunt & Sons for a total amount not to exceed \$4.0 million through August 31, 2008 or until the contract is no longer available; 2) authorizing the City Manager or the City Manager's designee to execute purchases in the amount specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal years; and 3) ratifying prior purchases with Hunt & Sons in an amount of \$184,807.

**Contact:** Keith Leech, Fleet Manager, (916) 808-5869, General Services Department.

**Action:** Adopted Resolution No. 2008-407.

**17. Agreements: Medical Services**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** 1) awarding three year agreements with two one-year renewal options to a) CHW Medical Foundation - Sacramento, b) The Permanente Medical Group, Inc., and c) Sacramento Occupational Medical Group for non-industrial occupational medical services in amounts not to exceed \$275,000 per year or a total of \$1,375,000 over the term of these contracts and any renewals providing that sufficient funds are available in the budget adopted for the applicable fiscal year; 2) awarding three-year contracts with two one-year renewal options to each CHW Medical Foundation - Sacramento and The Permanente Group for industrial medical services related to work related injuries covered under the City's self-insurance program to be paid to the contractors as required by statute providing that sufficient funds are available in the budget adopted for the applicable fiscal year; and, 3) authorizing the City Manager or designee to execute these agreements.

**Contact:** Barbara Brenner, Loss Prevention Manager, (916) 808-7849, Human Resources Department.

**Action:** Adopted Resolution No. 2008-408. AG2008-0582, 2008-0583 and 2008-0584

**18. Purchase/Agreements: START Educational Materials [2/3 Vote Required]**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** 1) suspending competitive bidding; 2) authorizing the City Manager or City Manager's designee to execute a contract with ETA/Cuisenaire for the purchase of educational materials in an amount not to exceed \$901,930; 3) authorizing the City Manager or City Manager's designee to execute a contract with Nystrom for the purchase of educational materials in an amount not to exceed \$440,747; and 4) authorizing the City Manager or City Manager's designee to issue the required purchase orders in a total amount not to exceed \$1,342,677.

**Contact:** David Mitchell, Recreation Manager, (916) 808-6076; Parks and Recreation Department and Craig Lymus, Interim Procurement Services Manager, (916) 808-5524, General Services Department.

**Action:** Adopted Resolution No. 2008-409.

**19. Valley Hi Park Master Plan Update Project**

**Location:** 8185 Center Parkway (District 7)

**Recommendation:** Adopt a **Resolution** 1) approving the project exemption as stated under CEQA Guidelines Sections 15301, 15303, and 15304(b) and 2) approving the Valley Hi Park Master Plan Update.

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

**Action:** Adopted Resolution No. 2008-410.

**20. Oak Park Property and Business Improvement District (PBID) – Annual Proceedings FY2008/09**

**Location:** Oak Park commercial Corridor (District 5)

**Recommendation:** Adopt a **Resolution** adopting the Oak Park PBID Annual Budget and Levying Assessment

**Contact:** Jodie Vong, Administrative Analyst, (916) 808-8243; Mark Griffin, Fiscal Manager, (916) 808-8788, Planning Department.

**Action:** Adopted Resolution No. 2008-411.

**21. Laguna Creek Maintenance District – Annual Report**

**Location:** North of Sheldon Road between Franklin Boulevard and Bruceville Road (District 8)

**Recommendation:** Adopt a **Resolution** adopting the Laguna Creek Maintenance District Annual Budget and Levy Assessment for FY 2008/09.

**Contact:** Brian Wong, Program Specialist, (916) 808-5778; Mark Griffin, Fiscal Manager, (916) 808-8788, Planning Department.



**Action:** Adopted Resolution No. 2008-412.

**22. 12<sup>th</sup> Street Maintenance District No. 2008-02**

**Location:** 12<sup>th</sup> Street between "C" and "I" Streets (Districts 1 and 3)

**Recommendation:** Adopt 1) a **Resolution** initiating proceedings; 2) a **Resolution** approving Boundary Map and preliminarily approving the Engineer's Report; and 3) a **Resolution** of Intention establishing the 12<sup>th</sup> Street Maintenance District No. 2008-02, levying service fees, dissolving the existing Maintenance District No. 90-03 and setting a public hearing on August 7, 2008.

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

**Action:** Adopted Resolution Nos. 2008-413, 2008-414 and 2008-415.

**23. North Franklin Property and Business Improvement District – Annual Proceedings FY2008/09**

**Location:** Within the North Franklin Commercial Corridor and is comprised of approximately 137 individual parcels (District 5)

**Recommendation:** Adopt a **Resolution** adopting the North Franklin PBID annual budget, and levying assessment.

**Contact:** Sini Makasini, Administrative Analyst, (916) 808-7967; Mark Griffin, Fiscal Manager, (916) 808-8788, Planning Department.

**Action:** Adopted Resolution No. 2008-416.

**24. Contract/Agreement: 2008 Federal Street Overlay Project (PN: RM83/R15072011)**

**Location:** Various Streets (Districts 1, 3, 4, 5, 8)

**Recommendation:** Adopt a **Resolution** 1) approving the contract plans and specifications, and awarding the contract to Granite Construction Company for an amount not to exceed \$3,089,819; 2) authorizing the City Manager to execute a Program Supplement with Caltrans; and 3) appropriating \$3,336,618 of federal funds to the project.

**Contact:** Zuhair Amawi, Associate Civil Engineer, (916) 808-7620; Jon Blank, Supervising Engineer, (916) 808-7914, Transportation Department.

**Action:** Adopted Resolution No. 2008-417.

**25. Supplemental Agreement: Maintenance of Street Lighting (Relamping) Project**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** 1) authorizing the City Manager, or his designee, to execute the Supplement No.3 to City Manager Agreement 2005-0723 for the final extension of the Non-Professional Services Agreement with Jackson Electric for a not-to-exceed amount of \$78,570 for the project.

**Contact:** Juan Montanez, Streets Manager, (916) 808-2254, Transportation Department.

**Action:** Adopted Resolution No. 2008-418.

26. **Agreements: State Trade Corridor Improvement Funds (TCIF) (CF48/T15029005)**  
**Location:** Downtown Railyards, Central City (District 1)

**Recommendation:** Adopt a **Resolution** authorizing the City Manager or designee to execute various agreements totaling \$20 Million in State TCIF with the California Transportation Commission and California Department of Transportation to continue work on the Track Relocation project.

**Contact:** Hinda Chandler, Senior Architect, (916) 808-8422; Fran Halbakken, Operations Manager, (916) 808-7194, Transportation Department.

**Action:** Removed from consent calendar by Mayor Fargo. Moved, seconded, carried (Tretheway/Sheedy) to adopt Resolution No. 2008-419.

### SUPPLEMENTAL AGENDA - Consent Calendar - 2:00 P.M.

36. **Authorization to Join Amicus Curiae Brief in Support of State of California in *State v. U.S. Environmental Protection Agency***

**Location:** Citywide

**Recommendation:** Adopt a **Resolution** authorizing the City Attorney to take the necessary steps to have the City of Sacramento join the amicus curiae brief of the National Association of Clean Air Agencies (NACAA), in support of the State of California in *State of California et al. v. U.S. Environmental Protection Agency et al.* (Unites States Court of Appeals for the Ninth Circuit, Case No. 08-70011).

**Contact:** Eileen Teichert, City Attorney, (916) 808-15346; Matt Ruyak, Supervising Deputy City Attorney, (916) 808-5346.

**Action:** Adopted Resolution No. 2008-427.

### Public Hearings (Items 27- 29)

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

27. **Code Enforcement Case Fees and Penalties – Findings of Fact for Special Assessment Liens** (Noticed on 4-30-08)

**Location:** (Citywide)

**Recommendation:** Conduct a public hearing and upon conclusion adopt a **Resolution** placing liens on the properties in the amount of \$28,862.81 for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/ Controller as special assessments against the properties.

**Contact:** Dennis Kubo, Program Manager, (916) 808-8577, Code Enforcement Department.

**Action:** Public comment given by Perry Rouse. Moved, seconded, carried (Hammond/Sheedy) to close the public hearing and adopt Resolution No. 2008-420 as amended.

**28. Housing Case Fees and Penalties – Findings of Fact for Special Assessment Liens** (Noticed on 4-30-08)

**Location:** (Citywide)

**Recommendation:** Conduct a public hearing and upon conclusion adopt a **Resolution** placing special assessment liens on the properties in the amount of \$31,762.04 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:** Public comment given by David Djurdjevic. Moved, seconded, carried (Hammond/McCarty; Absent - Cohn) to close the public hearing and adopt Resolution No. 2008-421 as amended.

**29. Reports Back on the FY2008/09 Proposed Budget** (Noticed on 4-4-08) **[To Be Delivered]**

**Location:** (Citywide)

**Recommendation:** This report provides information as requested by the City Council on items discussed during past Council sessions on the FY2008/09 proposed operating budget.

**Contact:** Leyne Milstein, Budget Manager, (915) 8808-8491, Finance Department.

**Action:** Moved, seconded, carried (Fong/Tretheway) an intent motion to approve Library funding as proposed with the additional \$360,000 from the Economic Uncertainty Reserve Fund.

Moved, seconded, carried (Fong/Sheedy) to approve FTE technical adjustments as submitted (restore 1.0 FTE to Treasurer, fund 0.5 FTE to Mayor/Council, unfund 0.4 FTE Program Leader and fund 0.5 FTE Arts and Crafts Specialist to Parks and Recreation Dept.) to be incorporated into final budget adoption by Resolution at evening meeting.

**Staff Reports (Item 30 and 31)**

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

**30. Ordinance: Requiring Life Preservers For Access To The Public Waters Within the City of Sacramento [To Be Delivered] [2/3Vote Required]**

**Location:** (Citywide)

**Recommendation:** 1) Discuss and provide direction on an emergency Ordinance adding Section 12.72.250 to the Sacramento City Code requiring all children under 13 years of age be required to wear a Personal Floatation Device (PFD) while accessing public waterways, **OR** 2) discuss and adopt an **emergency Ordinance** adding Section 12.72.250 to the Sacramento City Code requiring all children under 13 years of age be required to wear a Personal Floatation Device (PFD) while accessing public waterways.

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

**Action:** Moved, seconded, carried (McCarty/Fong) to adopt emergency Ordinance No. 2008-035. Direction given to staff to report back on (1) liability issues related to providing and maintaining life jackets and (2) number of beaches that would provide such life jackets.

**31. Ordinance: Tax Rate Reduction** (Passed for publication on 6-10-08, published on 5-13-08)

**Location:** (Citywide)

**Recommendation:** Adopt 1) an **Ordinance** effective upon voter approval (amending and restating Section 3.32.030, and repealing Section 3.32.040 of Chapter 3.32, Title 3 of the Sacramento City Code renaming the Telephone User Tax and applying it fairly to current and emerging technologies, and to reduce the tax rate); and 2) a **Resolution** approving utility user tax reduction and fairness measure text for placement on November 4, 2008 ballot.

**Contact:** Russ Fehr, City Treasurer, (916) 808-5168, Office of the City Treasurer, Mary Hanneman, Assistant City Manager, (916) 808-5794, Patti Bisharat, Director of Governmental Affairs, (916) 808-8197, Office of the City Manager.

**Action:** Public comment given by Aaron Donato and Joe Debbs. Moved, seconded, carried (Fong/Hammond) to adopt Ordinance No. 2008-036 (effective upon voter approval) and Resolution No. 2008-422 approving ballot measure and text for placement on November 4, 2008 ballot.

**Public Comments-Matters Not on the Agenda** – None.

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

- a. Board/Commission Appointment – None.
- b. Reports Back
  - 1. Pannell – City policy on car impound release date once fees have been paid.
  - 2. Sheedy – requested Mayor create ad hoc re Del Paso Regional Park uses
- 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

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

**Action:** Withdrawn by City Attorney.

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

**Action:** Withdrawn by City Attorney.

- d) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. 718 K Street LLC v. City of Sacramento, et al., Sacramento County Superior Court Case No. 34-2008 00000578.
- e) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. 718 K Street LLC v. City of Sacramento and Redevelopment Agency of the City of Sacramento, Sacramento County Superior Court Case No. 07CS00811.
- f) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. K Street League, et al. v. City of Sacramento, et al., Sacramento County Superior Court Case No. 34-2008 00000573.
- g) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Mohanna v. City of Sacramento, Sacramento County Superior Court Case No. 07CS01436.
- h) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Mohanna v. Delta Oilfield Services, Inc., Sacramento County Superior Court Case No. 07AS02655.
- i) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Redevelopment Agency of the City of Sacramento v. M.H. Mohanna, et al, Sacramento County Superior Court Case No. 34-2008-00003595.
- j) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Redevelopment Agency of the City of Sacramento v. M.H. Mohanna, et al, Sacramento County Superior Court Case No. 34-2008-00003588.

**Redevelopment Agency of the City of Sacramento**

- a) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Redevelopment Agency of City of Sacramento v. Saca Development, LLC, et al., Sacramento County Superior Court Case No. 07AS00636.
- b) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. M.H. Mohanna v. Overland Pacific & Cutler LLC, et al, as amended to include the Redevelopment Agency of the City of Sacramento, Sacramento County Superior Court Case No. 07AS03616.
- c) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. 718 K Street LLC v. Overland Pacific & Cutler LLC and the Redevelopment Agency of the City of Sacramento et al., Sacramento County Superior Court Case No. 07AS03618.
- d) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. 718 K Street LLC v. City of Sacramento, et al., Sacramento County Superior Court Case No. 34-2008 00000578.

- e) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. K Street League, et al. v. City of Sacramento, et al., Sacramento County Superior Court Case No. 34-2008 00000573.
- f) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. 718 K Street LLC v. City of Sacramento and Redevelopment Agency of the City of Sacramento, Sacramento County Superior Court Case No. 07CS00811.
- g) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Redevelopment Agency of the City of Sacramento v. M.H. Mohanna, et al, Sacramento County Superior Court Case No. 34-2008-00003595.
- h) Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation. Redevelopment Agency of the City of Sacramento v. M.H. Mohanna, et al, Sacramento County Superior Court Case No. 34-2008-00003588.
- i) Pursuant to Government Code section 54956.8 for a matter pertaining to real property negotiations. Authorization to negotiate with Joseph Zeiden of Zeiden Properties, LLC for the acquisition of the following Assessor's Parcel Numbers: 006-0096-04, 006-0096-018 and 006-0096-019. The purpose is to confer with the City's chief negotiators, John Dangberg and Leslie Fritsche, regarding the price, terms and conditions of the acquisition.

**Recess to Closed Session** - 3:00 p.m.

**Reconvene – 6:00 p.m.**

**Roll Call** - A regular meeting of the Sacramento City Council was called to order by Mayor Heather Fargo at 6:08 p.m., on Tuesday, June 17, 2008, at Sacramento City Hall Council Chamber. All members present.

**Pledge of Allegiance** – led by Councilmember Hammond.

**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**

#### **a. Recognition of the George H. Clark Scholarship Recipient**

**Action:** Susan Miller, SCUSD Interim Superintendent, presented the scholarship award to Sho Takatori, a senior at JFK High School

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

### Public Hearings (Item 32)

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

**32. Adoption of the FY2008/09 Operating and Capital Improvement Program (CIP) Budgets (Noticed 4-4-08) [To Be Delivered]**

**Location:** (Citywide)

**Recommendation:** Conduct a public hearing and upon conclusion adopt a **Resolution** approving the FY2008/09 City of Sacramento Operating and CIP Budgets.

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

**Action:** No public comment. Moved, seconded, carried (McCarty/Fong) to close the public hearing and adopt Resolution No. 2008-423.

### Staff Reports (Items 33 - 35)

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

**33. Florin Road Corridor Plan and South Area Corridor Updates**

**Location:** (Districts 5 and 8) and remaining South Area Corridors (Districts 4 and 6)

**Recommendation:** Adopt 1) a **Resolution** authorizing the use of \$100,000 from the Shovel-Ready Sites Capital Improvement Project (BD01/ D21001300) for planning and environmental work for the Florin Road auto dealer sites, and 2) provide comment on outreach and planning efforts.

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

**Action:** Moved, seconded, carried (Hammond/Pannell) to adopt Resolution No. 2008-424.

**34. Report Back and Approval of the Draft 2008-2013 Housing Element**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** authorizing staff to submit the draft 2008-2013 Housing Element to the California Department of housing and community development for review and comment.

**Contact:** Cindy Cavanaugh, Assistant Director, SHRA, (916) 440-1317; Emily Halcon, Management Analyst, SHRA, (916) 440-1399, ext. 1420; Greg Sandlund, Assistant Planner, City of Sacramento, (916) 808-893.

**Action:** Public comment given by Stan Keasling, Joan Burke, Shamus Roller, Wendy Carter, Greg DeGiere, Kevin Greene, Brian Augusta, Paula Lamazzi, Jill Hurley, Stan Keasling, and Wendy Carter. Moved, seconded, carried (Fong/Sheedy) to adopt Resolution No. 2008-425 as amended. Exhibit A was amended to add the following language: "The City values inclusionary housing and is interested in expanding it citywide. Staff is directed to work with all stakeholders and report back within one year to Council to determine whether it is feasible to extend the Mixed Income housing Ordinance citywide, and if so, in what manner".

**35. (Redevelopment Agency/City Council) Owner Participation Agreement, Loan, and Grant for Budget Inn Project**

**Location:** 5321 Stockton Blvd (District 5)

**Recommendation:** **Adopt 1) a Redevelopment Agency Resolution** a) authorizing the Interim Executive Director or her designee to execute an Owner Participation Agreement, Loan Agreement, Conditional Grant Agreement, and Permanent Supportive Housing Rental Assistance Agreement with Mercy Housing California for the project, b) authorizing the Interim Executive Director to execute supporting documents and perform other actions as necessary to make and reasonably administer these agreements; c) amending the 2008 Agency budget to transfer \$6,337,000 to the project, including \$1,345,000 from Stockton Boulevard Taxable Housing Development Assistance, \$325,000 from Stockton Boulevard Tax-Exempt 2002 Master Lease Housing Bond funds, \$171,000 from Stockton Boulevard Developer Assistance and allocate \$4,000,000 from the Stockton Boulevard Bank of America Credit Agreement to the project; d) authorizing an acquisition and construction loan of \$5,064,000 e) authorizing a conditional grant of \$1,273,000 for permanent financing; f) approving future commitment of City Aggregate Tax Increment Housing funds in an amount up to \$396,864 annually to fund the Permanent Supportive Housing Rental Assistance Agreement for sixteen years beginning with the 2010 SHRA annual budget, but no more than \$3,229,000 over the life of the Agreement; and g) approving the Budget Inn Relocation Plan; and **2) a City Council Resolution** a) authorizing the transfer of \$496,000 in EDI Program funds to the project; and b) approving the Budget Inn Relocation Plan

**Contact:** Lisa Bates, Deputy Executive Director, (916) 440-1319, Sacramento Housing and Redevelopment Agency.

**Action:** Public comment given by Shirley Johnson, Sara Phillips, Geanine Hodges, Martin Rosenberg, Steven Williams, Joannie Ornelas, Sundori MacAllister, Timothy Brown, David McAllister, Corinna Dewar, Paula Lamazzi, Patti Uplinger, David Lathrop, Arnold Mohr, Joan Burke, David Tamayo, Sean McGlynn and Tanya Wilson.

Moved, seconded, **failed** (Hammond/Waters; Noes – Cohn/Fong/McCarty/Pannell/Tretheway/Fargo) to deny staff recommendation and deny the funding for the project.

Moved, seconded, carried (McCarty/Fong; Noes – Hammond/Waters) to adopt Redevelopment Agency Resolution No. 2008-044 and City Resolution No. 2008-426 to include regular good neighbor mandatory meetings with neighborhood groups, police department, business owners and property management staff.

**Public Comments-Matters Not on the Agenda** – None.



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

- a. Board/Commission Appointment
  - 1. Meadowview Development Committee
    - a. Aaron Evans
    - b. Tyrone Rheinhardt
    - c. Darlene Eaton
    - d. Ronielle Freeman
- b. Reports Back – None.
- c. Meeting/Conference Reports – None.

**Adjournment** – 11:20 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the June 17, 2008 meeting as approved by the Sacramento City Council.

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Shirley Concolino, City Clerk