



OFFICE OF THE  
CITY CLERK

CITY OF SACRAMENTO  
CALIFORNIA

INTERIM CITY HALL  
ROOM 211  
730 I STREET  
SACRAMENTO, CA  
95814-2671

CITY CLERK  
Shirley Concolino

PH. (916) 808-5427  
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May 26, 2005

[www.cityofsacramento.org](http://www.cityofsacramento.org)

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: APPROVAL OF WEEKLY MINUTES**

**LOCATION AND COUNCIL DISTRICT: All.**

**RECOMMENDATION:** Approve Minutes for the afternoon and evening sessions of May 17, 2005.

**CONTACT PERSON:** Shirley Concolino, City Clerk, (916) 808-5442

**FOR MEETING OF:** May 31, 2005

**FINANCIAL CONSIDERATIONS:** None.

**ENVIRONMENTAL CONSIDERATIONS:** None.

**POLICY CONSIDERATIONS:** None.

**ESBD CONSIDERATIONS:** Not Applicable.

Respectfully Submitted:

  
Shirley Concolino, City Clerk

Attachments:  
Minutes for May 17, 2005 Pgs: 3 (Top Corner)





## CITY OF SACRAMENTO

# ***MINUTES***

THE CITY COUNCIL WELCOMES YOU

to the

**CITY COUNCIL MEETING - 2:00 P.M.**

**Interim City Hall - 730 I Street,  
First Floor, Council Chambers**

**May 17, 2005**

### **-- NOTICE TO THE PUBLIC --**

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**Concurrent Regular Meetings of  
Sacramento City Council  
Redevelopment Agency of the City of Sacramento  
Housing Authority of the City of Sacramento  
Economic Development Commission  
Sacramento City Financing Authority**

**HEATHER FARGO, Mayor**

**RAYMOND L. TRETHERWAY III (D-1)**  
Vice-Mayor

**LAUREN HAMMOND (D-5)**  
Councilmember

**SANDY SHEEDY (D-2)**  
Councilmember

**KEVIN MCCARTY (D-6)**  
Councilmember

**STEVE COHN (D-3)**  
Councilmember

**ROBBIE WATERS (D-7)**  
Councilmember

**ROBERT KING FONG (D-4)**  
Councilmember

**BONNIE PANNELL (D-8)**  
Councilmember

**Charter Officers**

*Samuel Jackson*  
City Attorney

*Shirley Concolino*  
City Clerk

*Robert Thomas*  
City Manager

*Thomas Friery*  
City Treasurer

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**CALL TO ORDER-** 2:08 p.m.

**ROLL CALL-** All present except Councilmember McCarty

**CLOSED SESSION REPORT-** None.

**1.0 SPECIAL PRESENTATIONS/GENERAL COMMUNICATIONS**

1.1 Pacific Rim Street Festival presentation to Mayor and Council.

**ACTION:** Received by Bernadette Chiang.

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**2.0 CONSENT CALENDAR (ITEMS 2.1 THROUGH 2.16)**

**VOTING RECORD:** Moved: Waters      Seconded: Pannell  
**AYES:** Cohn, Fong, Hammond, Pannell, Sheedy,  
Waters, Tretheway, Mayor Fargo  
**ABSENT:** McCarty

SHRA

2.1 Authorize the Executive Director to transfer \$695,000 from 2002 Master Lease Downtown Bond Funds (630-360-3071) to the 10<sup>th</sup> and K Project (630-360-4392) for additional costs associated with land acquisition and related professional services for the parcel located at 1016, 1020, and 1022 K Street. (D-1)

**RECOMMENDATION:** Adopt Redevelopment Agency Resolution.

**ACTION:** RA2005-030

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City Council

2.2 Approve the City Council minutes for the afternoon and evening sessions of May 3, 2005. (D-All)

**RECOMMENDATION:** Approve minutes.

**ACTION:** Approved minutes.

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2.3 Notification of Final Map and Subdivision Improvement Agreement for Astoria Place (P03-025), located at the Southeast corner Astoria Street and Dorothy June Way (D-2)

**RECOMMENDATION:** Receive and file.

**ACTION:** Received and filed.

2.4 Notification of Final Map and Subdivision Improvement Agreement for the Hamptons Village 2 (P03-158), located between Freeway 99 and East Commerce Way South of Greg Thatch Circle. (D-1)

**RECOMMENDATION:** Receive and file.

**ACTION:** Received and filed.

2.5 Open an application period for various Boards and Commissions:

A) Development Oversight Commission to fill one (1) position;

B) Animal Care Services Citizens Advisory Committee to fill one (1) position.

**RECOMMENDATION:** A-B) Open application period on 05-18-05; Applications due on 06-17-05.

**ACTION:** A-B) Application period opened on 05-18-05; Applications due on 06-17-05.

2.6 Approve the Summary Vacation (Abandonment) of the excess public road right-of-way portion of Exposition Boulevard between Tribute Road and the Business 80 Southbound Exposition Boulevard Off Ramp – (Vacation Proceeding No. VP05-03). (D-3)

**RECOMMENDATION:** Adopt Resolution.

**ACTION:** CC2005-326

2.7 Sonora Springs (P04-067): An Ordinance amending the districts established by the Comprehensive Zoning Ordinance, Title 17 of the Sacramento City Code, As Amended, by rezoning 26.4+/- gross acres from Agriculture (A) to 23.5+/- acres of Single Family Alternative Planned Unit Development (R-1A-PUD) and 2.9+/- acres of Agriculture-Open Space Planned Unit Development (A-OS-PUD) for property located in South Natomas, Northwest of the intersection of Truxel Road and San Juan Road. (D-1)

**RECOMMENDATION:** Pass for publication of title and continue to May 24, 2005.

**ACTION:** Passed of publication of title and continued to May 24, 2005.

- 2.8 Adopt the Sacramento County, California Multi-Hazard Mitigation Plan as an official plan for updating existing plans and/or completing or creating new activities that mitigate or limit the impact of natural disasters. (D-All)

**RECOMMENDATION:** Adopt Resolution.

**ACTION:** CC2005-327

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- 2.9 Citation and arrest authority. (D-All)

- A) Update the names of the employees who are eligible to be granted citation and arrest authority in the Revenue Division of the Finance Department; and
- B) Specify the various sections of the City Code to be enforced by certain Revenue Division staff.

**RECOMMENDATION:** A-B) Adopt Resolution.

**ACTION:** A-B) CC2005-328

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- 2.10 Amend Resolution 2004-484 (which was adopted on June 24, 2004) to increase the FY05 total from \$240,000 to an amount not-to-exceed \$275,000 for the continuation of Key Data Entry services from Technical Data Systems, Inc. (D-All)

**RECOMMENDATION:** Adopt Resolution.

**ACTION:** CC2005-329 as amended.

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- 2.11 Purchase of cellular phone services for Fiscal Years 2005/2006. (*Requires two-thirds vote*) (D-All)

- A) Suspend competitive bidding for the purchase of cellular phone services from AT&T/Cingular, Nextel, and Verizon under the provisions of the Western States Contracting alliance (WSCA) agreement;
- B) Authorize the increase of spending for the City Manager to purchase cellular phone services from AT&T/Cingular, Nextel, and Verizon in an amount not-to-exceed \$400,000 for Fiscal Year 2005; and
- C) Authorize the City Manager to purchase cellular phone services from AT&T/Cingular, Nextel, and Verizon in an amount not to exceed \$1,500,000 for Fiscal Year 2006.

**RECOMMENDATION:** A-C) Adopt Resolution.

**ACTION:** A-C) CC2005-330

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2.12 Northside Subdivision Maintenance District – Initiate annual proceedings (FY2005/06), located north of Main Avenue between Rio Linda Boulevard and Marysville Boulevard. (D-2)

- A) Direct filing of the Annual Report for FY 2005/06 for the district; and
- B) Approve Engineers Report and Intention to Order Maintenance of Improvements for the FY2005/05 for the district.

**RECOMMENDATION:** A) Adopt Resolution.

B) Adopt Resolution.

**ACTION:** A) CC2005-331 B) CC2005-332

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2.13 Franklin Boulevard Property and Business Improvement District – Initiate Annual Proceedings, includes 107 parcels and 86 property owners in the Franklin Boulevard Redevelopment Area. (D-5)

- A) Adopt Resolution of Intention to levy and collect assessments for FY 2005/06; and
- B) Set a public hearing date of June 7, 2005, to question the levy of the proposed assessments.

**RECOMMENDATION:** A-B) Adopt Resolution.

**ACTION:** A-B) CC2005-333

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2.14 College Square Community Facilities District No. 2005-01, located south of Cosumnes River Boulevard between Bruceville Road and Highway 99- Initiate Proceedings. (D-8)

- A) Approve bond counsel agreement for legal services;
- B) Intention to establish a CFD and to levy a special tax, approves boundary map and sets a hearing date for June 21, 2005;
- C) Intention to incur bond indebtedness.

**RECOMMENDATION:** A) Adopt Resolution.

B) Adopt Resolution.

C) Adopt Resolution.

**ACTION:** A) CC2005-334 B) CC2005-335 C) CC2005-336



2.15 Authorize the appropriation of \$400,000 in North Natomas Community Development Funds to fund activities of the North Natomas Financing Plan. (D-1)

**RECOMMENDATION:** Adopt Resolution.

**ACTION:** CC2005-337

2.16 Sump 48 Electrical Improvement Project (PN: XH66), located at 6577 San Joaquin Street - Accept the responsive low bid and award the contract to BRC Construction for an amount not to exceed \$249,943. (D-6)

**RECOMMENDATION:** Adopt Resolution awarding contract.

**ACTION:** CC2005-338 CO2005-054

**3.0 PUBLIC HEARINGS**

3.1 Annexation No. 2 to the Neighborhood Water Quality District No. 2003-03, located north of Meadowview Road and East of Tamoshanter Way. (D-8)

- A) Count ballots; present results;
- B) Approve Engineer's Report; and
- C) Establish budgets for Annexation No. 2.

**RECOMMENDATION:** Close hearing;

- A) Adopt staff recommendation.
- B) Adopt Resolution
- C) Adopt Resolution

**ACTION:** A) Hearing closed and direct count of ballots of 20,060.

**VOTING RECORD:** Moved: Pannell Seconded: Fong  
**AYES:** Cohn, Fong, Hammond, Pannell, Sheedy, Waters, Tretheway, Mayor Fargo  
**ABSENT:** McCarty

**ACTION:** Results received 20,060 Aye votes -100% ayes.  
 B) CC2005-339 C) 2005-340

**VOTING RECORD:** Moved: Pannell Seconded: Hammond  
**AYES:** Cohn, Fong, Hammond, Pannell, Sheedy, Waters, Tretheway, Mayor Fargo  
**ABSENT:** McCarty

3.2 FY2005/06 Proposed Budget augmentations for the Charter Departments and Support Departments. (D-All)

**RECOMMENDATION:** Close hearing; and request an intent motion to approve.

**ACTION:** Hearing closed; Intent Motion to approve

**VOTING RECORD:** Moved: Tretheway Seconded: Waters  
**AYES:** Cohn, Fong, Hammond, Pannell, Sheedy,

Waters, Tretheway, Mayor Fargo

**ABSENT:** McCarty

**4.0 SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY (SHRA)**

Public Hearing

4.1 Tax-Exempt Bond Proposal: Creekside Village Senior Apartments, located at 6465 Village Center Drive.(Noticed on 04-30-05) (D-8)

Authorize the Executive Director or her designee to:

A) Indicate the approval of the Housing Authority of the City of Sacramento (Housing Authority) to issue up to \$16,000,000 in tax-exempt mortgage revenue bonds to provide acquisition, construction, and permanent financing for the Creekside Village Senior Apartments located within the City of Sacramento;

B) Authorize an application to the California Debt Limit Allocation Committee (CDLAC) for allocation authority to issue the bonds; and

C) Indicate that the City Council has conducted a Tax Equity and Fiscal Responsibility Act (TEFRA) hearing related to the financing of the project.

**RECOMMENDATION:** Close hearing;  
A-B) Adopt Housing Authority Resolution.

C) Adopt City Resolution

**ACTION:** Hearing closed;

A-B) HA2005-011 C) CC2005-341

**VOTING RECORD:** Moved: Pannell Seconded: Hammond  
**AYES:** Cohn, Fong, Hammond, Pannell, Sheedy,

Waters, Tretheway, Mayor Fargo

**ABSENT:** McCarty

4.2 Rio Linda- Nogales Single-Family Development, located at 3536 Rio Linda Boulevard, Del Paso Heights Redevelopment Area.(Noticed on 4-28-05) (D-2)

Authorize the Executive Director or her designee to:

- A) Execute a Disposition and Development Agreement and related documents with Thomas R. Armstrong Enterprises Inc., to transfer this Agency-owned property; and
- B) Hold a public hearing to meet Health and Safety Code § 33433.

**RECOMMENDATION:** Close hearing;  
 A-B) Adopt Redevelopment Agency Resolution.  
 Adopt City Resolution.

**ACTION:** Hearing closed; A-B) RA2005-031 CC2005-342

**VOTING RECORD:** Moved: Waters Seconded: Pannell  
**AYES:** Cohn, Fong, Hammond, Pannell, Sheedy, Waters, Tretheway, Mayor Fargo  
**ABSENT:** McCarty

Staff Report

4.3 North Sacramento Loan application to the California Infrastructure and Economic Development Bank, located at the North Sacramento Redevelopment area. (D-2)

Authorize the Executive Director to:

- A) Submit a loan application for approximately \$4 million to the California Infrastructure and Economic Development Bank to fund streetscape improvements along Del Paso Boulevard; and
- B) Sign any financing documents or amendments subject to the approval of Agency Counsel, for purposes of this financing;
- C) Accept the funds contingent upon all applicable legal requirements
- D) Use proceeds of the loan, if entered into, to reimburse the Agency for eligible costs incurred prior to final loan approval.

**RECOMMENDATION:** A-C) Adopt Redevelopment Agency Resolution.  
 D) Adopt Redevelopment Agency Resolution.

**ACTION:** A-C) RA2005-032 D) RA2005-033

**VOTING RECORD:** Moved: Sheedy Seconded: Cohn  
**AYES:** Cohn, Fong, Hammond, Pannell, Sheedy, Waters, Tretheway, Mayor Fargo  
**ABSTAIN:** Mayor Fargo recused for financial interests within 500 feet of project.  
**ABSENT:** McCarty

4.4 Del Paso Nuevo Phases VI and VII Replacement Housing Plan and Relocation Plan, located in an area bounded by South Avenue, Altos Avenue, Arcade Creek, and Norwood Avenue, Del Paso Heights Redevelopment area. (D-2)

**RECOMMENDATION:** Adopt [2] Redevelopment Agency Resolutions.  
 Adopt [2] City Council Resolutions.

**ACTION:** RA2005-034 RA2005-035  
 CC2005-343 CC2005-344

**VOTING RECORD:** Moved: Sheedy Seconded: Pannell  
**AYES:** Cohn, Fong, Hammond, Pannell, Sheedy, Waters, Tretheway, Mayor Fargo  
**ABSENT:** McCarty

**5.0 STAFF REPORTS**

5.1 Update of State Budget and Legislative Issues. [ Oral Report]

**RECOMMENDATION:** For Council information only.  
**ACTION:** Public testimony by David Topaz. Received and filed.

5.2 Ordinance adding Section 1.28.040 to, and amend Section 1.28.010 of Chapter 1.28 of the Sacramento City Code relating to Recovery of Attorney's Fees and Administrative Penalties. (PFP'd 5-10-05, item 2.16)

**RECOMMENDATION:** Adopt Ordinance.  
**ACTION:** OR2005-038

**VOTING RECORD:** Moved: Hammond Seconded: Pannell  
**AYES:** Cohn, Fong, Hammond, Pannell, Sheedy, Waters, Tretheway, Mayor Fargo  
**ABSENT:** McCarty

- 5.3 Police Department Tentative Agreement  
(from Supplemental Agenda 5-17-2005)

**RECOMMENDATION:** Adopt Resolution approving agreement.

**ACTION:** Public testimony by David Topaz, Sacramento Police Officers Association. CC2005-345 AG2005-053

**6.0 REGIONAL ISSUES**

None

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**7.0 CITIZENS ADDRESSING COUNCIL (MATTERS NOT ON THE AGENDA)**

- 7.1 Dave Fridley- relocation and homeless issues.
- 7.2 Mathew Johnson-displacement issues.
- 7.3 William Thomas –concern about lost grant monies.
- 7.4 Dominique Ridley- Soundwall issues with CalTrans (includes letter).

**8.0 COUNCIL IDEAS, QUESTIONS AND ANNOUNCEMENTS**

- 8.1 Mayor Fargo and Councilmembers Cohn and Fong requested a Report back on police problems in the midtown area.
- 8.2 Councilmember Sheedy requested a transcription of the 2-15-2005 discussion and motion on the enacted Superstore Ordinance and task force.

**ADJOURNED** at 3:38 p.m.



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ROLL CALL- all present except for Councilmember McCarty

PLEDGE OF ALLEGIANCE-led by Councilmember Sheedy

**9.0 SPECIAL PRESENTATIONS/GENERAL COMMUNICATIONS**

9.1 Resolution commending START students at HW Harkness Elementary School.

**ACTION:** Received by Paula Cook and students.

9.2 Proclamation of Golf America Day.

**ACTION:** Received by Doug Parker and Ken Morton.

**10.0 PUBLIC HEARING**

10.1 FY2005/06 Proposed Budget for the Transportation Department and requests to approve intent motion.(D-All)

**RECOMMENDATION:** Close hearing and request intent motion to approve.

**ACTION:** Hearing closed; Intent motion approving recommendations and Mayor Fargo requested a report back on traffic congestion in the downtown area.

**VOTING RECORD:** Moved: Sheedy Seconded: Cohn  
**AYES:** Cohn, Fong, Hammond, Pannell, Sheedy, Waters, Tretheway, Mayor Fargo  
**ABSENT:** McCarty

10.2 FY2005/06 Proposed Budget for the Development Services Department.

**RECOMMENDATION:** Close hearing and request intent motion to approve.

**ACTION:** Public testimony by Bruce Starkweather; Phyllis Newton; James Von Maren; Michael Ault; David Butner.  
Hearing closed; Intent motion approving recommendations.

**VOTING RECORD:** Moved: Tretheway Seconded: Pannell  
**AYES:** Cohn, Fong, Hammond, Pannell, Sheedy, Waters, Tretheway, Mayor Fargo  
**ABSENT:** McCarty



**14.0 CITIZENS ADDRESSING COUNCIL (MATTERS NOT ON THE AGENDA)**

14.1 Bill Grant- inquired about effective date of Parks and Recreation Commission and possibility of establishing a Senior Commission

**15.0 COUNCIL IDEAS, QUESTIONS AND ANNOUNCEMENTS**

15.1 Mayor Fargo announced the following appointments.

- A) General Plan Update Advisory Committee
  - a. Malachi L. Smith –Category B
- B) Small Business Development & Employment Advisory
  - a. Eugene D. Jones –Category B
- C) Ann Land/Bertha Henschel Memorial Fund Commission
  - a. James M. Sobolewski -Category B
  - b. Jeanette Trimble- Category B
- D) Animal Care Services Citizens Advisory Committee
  - a. Margaret (Molly) Kenneth-Category C
  - b. Mosita Ortiz-Category C

15.2 Councilmember Waters requested a report back on the requirements for the quality and timeliness of repair during projects where roads are torn up.

15.3 Mayor Fargo requested a written guidance on Brown Act requirements when a majority of Councilmembers (5) serve on a Joint Powers Authority (JPA) board.

15.4 Community events announced by:

- A) Councilmember Pannell-District 8
- B) Councilmember Hammond- District 5
- C) Councilmember Fong-District 4
- D) Councilmember Cohn-District 3
- E) Councilmember Tretheway-District 1

**ADJOURNED** at 10:34 p.m.

**11.0 STAFF REPORTS**

11.1 Accept the On-Street and Off-Street Parking Follow-up Internal Audit Report. (D-All)

**RECOMMENDATION:** Adopt Resolution.

**ACTION:** CC2005-346

**VOTING RECORD:** Moved: Hammond Seconded: Sheedy  
**AYES:** Cohn, Fong, Hammond, Pannell, Sheedy,  
Waters, Tretheway, Mayor Fargo  
**ABSENT:** McCarty

**12.0 SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY (SHRA)**

Staff Report

12.1 Alkali Flat Project Area Committee, located at the Alkali Flat Redevelopment Project area. (D-1)

- A) Dissolve the committee and approve an elected Alkali Flat Redevelopment Advisory Committee and Operating Guidelines for the committee; and
- B) Dissolve the Alkali Flat Project Area Committee and form an elected Alkali Flat Redevelopment Advisory Committee and Operating Guidelines for the committee

**RECOMMENDATION:** A) Adopt City Resolution.  
B) Adopt Redevelopment Agency Resolution.

**ACTION:** Public testimony by Randy Owen; Charlotte Delgado; Ron Emslie. Continued to 5-24-05 with an Intent motion to adopt staff recommendation with modification in membership composition.

**VOTING RECORD:** Moved: Tretheway Seconded: Cohn  
**AYES:** Cohn, Fong, Hammond, Pannell, Sheedy,  
Waters, Tretheway, Mayor Fargo  
**ABSENT:** McCarty

**13.0 REGIONAL ISSUES**

None.