



**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, Vice-Mayor, District 4
Lauren Hammond, District 5
Kevin McCarty, District 6
Robbie Waters, District 7
Bonnie Pannell, District 8

Minutes

Tuesday, February 13, 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)

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MINUTES

Tuesday, February 13, 2006

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 - 12:00 noon

Roll Call - 12:05 p.m.

Closed Session (Read Closed Session Items – ask for public comment - 3 minute maximum)

Recess to Closed Session - 12:06 p.m.

City Council

- a. Pursuant to Government Code section 54957 for an item pertaining to personnel matters. Annual performance appraisal of the City Manager.

Sacramento Housing and Redevelopment Agency

- b. Pursuant to Government Code section 54956.9 (a), for a matter pertaining to pending litigation: Redevelopment Agency of the City of Sacramento v. Karajeh Enterprises, Inc., Sacramento County Superior Court Case No. 06UD09860.

Reconvene to Open Session – 2:00 p.m.

Roll Call - 2:16 p.m. All present

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. **Introduction of Shigeru Kurokawa and Recognition of Matsuyama, Japan Employee Exchange**

Action: Shigeru Kurokawa introduced to City Council

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

Consent Calendar (Items 1 - 15)

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request an item be removed for separate consideration.

Action: Moved, seconded, carried (Waters/Fong) 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 January 30, 2007.

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 the following: 1) Transportation Programming Guide Community Advisory Committee opening on 02/14/07 with applications due 03/16/07. 03/09/07; 2) North Sacramento Redevelopment Advisory Committee opening 02/14/07 with applications due 03/16/07

Contact: Stephanie Mizuno, Assistant City Clerk, 808-8093; Ruci Katia, Deputy City Clerk, 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: 1) 65th Street Redevelopment Advisory Committee – Chris Stevens (Category D); 2) Community Racial Profiling Commission – Francine Tournour (Category D) ; 3) Building and Fire Code Advisory & Appeals Board – John Paul Leonard (Category A); 4) Ann Land/Bertha Henschel Memorial Fund Commission – Alexandra Miller and Laurie Richardson (Category B); 5) Animal Care Services Citizens Advisory Committee – Maria Leticia Sanchez (Category A); 6) Sacramento Housing & Redevelopment Commission – Thomas Burruss and Fernando Coriano (Category A) and 7) Civil Service Board – Leslie Lopez and Elise Manders

Contact: Stephanie Mizuno, Assistant City Clerk, 808-8093; Ruci Katia, Deputy City Clerk, 808-7200, Office of the City Clerk.

Action: Approved recommendation

4. Agreement: 2007-2009 Cultural Arts Awards Funding

Location: Citywide and County of Sacramento

Recommendation: Adopt a **Resolution** 1) authorizing the first year allocation (calendar year 2007) of the 2007-2009 Cultural Arts Awards, for a total of \$700,623

and, 2) authorizing the City Manager to execute an agreement between the City and County for the transfer of \$350,623 in City funds to the County for the County's facilitation of the grants contracts.

Contact: Anja Aulenbacher, Grants and Cultural Programs Coordinator (Interim), (916) 566-3986, Ruth Rosenberg, Arts Stabilization Consultant, (916) 455-6383, Convention, Culture and Leisure Department.

Action: Adopted Resolution No. 2007-082

5. Contract: Sump 128 Electrical Improvements Project (PN: WN46)

Location: 3951 Mack Road (District 8)

Recommendation: Adopt a **Resolution** 1) approving the contract plans and specifications for the project; 2) awarding the contract to JR Sharp Construction for an amount not to exceed \$368,000; and 3) transferring funds in the amount of \$30,000 from the project.

Contact: David L. Brent, Engineering Manager, 808-11280; Dave Hansen, Supervising Engineer, 808-1421, Utilities Department.

Action: Adopted Resolution No. 2007-083

6. Contract: Sump 37 Electrical Rehabilitation Project (PN: WM56)

Location: 4800 Power Inn Road (District 6)

Recommendation: Adopt a **Resolution** 1) approving the contract plans and specifications for the project; and 2) awarding the contract to Westcon Construction Corp. for an amount not to exceed \$298,136.

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

Action: Adopted Resolution No. 2007-084

7. Contract: Purchase of Fertilizers (Bid No. B061181098) (2/3 Vote Required)

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) rescinding the contract previously awarded to Western Farm Service for the purchase of fertilizers for use by Capital City Golf, the Department of Parks and Recreation and the Department of Utilities; 2) accepting the next lowest responsible bid received for these products; and 3) awarding the items listed in Schedule "B" of the bid and amending the contract for the purchase of fertilizers to Target Specialty Products, in a total amount not to exceed \$525,000.

Contact: Doug Parker, Golf Manager, 433-6314 Marc Robles, Program Analyst, Procurement Services, 808-6343, Convention Culture & Leisure, Department of Parks and Recreation, and Department of Utilities

Action: Removed from consent by Robbie Waters. Moved, seconded, carried (Waters/Pannell) to approve Resolution No. 2007-085

8. Grant: Hurricane Ernesto

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager or his designee to accept federal funding for expenses related to the deployment of five (5) individuals as part of the US&R Incident Support Team (IST) that responded to Hurricane Ernesto; and 2) establishing a multi-year operating grant for the CA TF-7 US&R (G634), and 3) appropriating the grant funds to CA TF-7 US&R Program.

Contact: Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Ed Vasques, Assistant Chief, (916) 264-7522, Fire Department.

Action: Adopted Resolution No. 2007-086

9. (Pass for Publication) Design Commission and Preservation Commission (M06-017)

Location: (Citywide)

Recommendation: 1) Review an Ordinance amending sections 17.132.040 and 17.134.040 of Title 17 (Sacramento City Code) to alter the residency requirements for the five (5) professional positions on both the Design and Preservation Commissions, and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted February 20, 2007.

Contact: William Crouch, Urban Design Manager, (916) 808-8013; David Kwong, Planning Manager (916) 808-2691, Development Services Department.

Action: Approved recommendation with clarification that the February 20, 2007 hearing will be held at 4:00 p.m..

10. (Pass for Publication) Natomas Central Community Facilities District (CFD) No. 2006-02

Location: North Natomas – Del Paso Road and El Centro Road (District 1)

Recommendation: 1) Adopt a **Resolution** declaring results of the special mailed ballot election; 2) review an ordinance to levy a special tax on land within the CFD; and 3) pass for publication the Ordinance title as required by section 32(c) of the Sacramento City Charter to be adopted on February 27, 2007

Contact: Bob Cooper, Senior Engineer, (916) 808-5778; Mark Griffin, Fiscal Manager, (916) 808-8788, Planning Department.

Action: Adopted Resolution No. 2007-087 and approved recommendation to hear item on February 27, 2007.

11. (Pass for Publication) Campaign Finance

Location: (Citywide)

Recommendation: 1) Review an Ordinance a) amending Sections 1.20.020, 1.20.050, 2.13.070, 2.13.040 and 2.14.140 of Titles 1 and 2; and b) adding Section 2.14.105 relating to the transfer of contributions under the campaign contribution limits code (Chapter 2.13), to the use of matching public funds under the campaign spending limits code (Chapter 2.14) and to the conduct of candidates accepting matching public funds; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted February 20, 2007

Contact: Mark Prestwich, Special Projects Manager, (916) 808-5380, Office of the City Manager.

Action: Removed from consent by RayTretheway. Moved, seconded, carried (Water/Pannell) to approve recommendation

12. Freeport Regional Water Project Neighborhood Mitigation Funds

Location: (Districts 7 and 8)

Recommendation: Adopt a **Resolution** 1) accepting a \$2 million payment from the Freeport Regional Water Authority as General Fund (Fund 101) revenues; and 2) allocating \$1.5 million of this amount for the construction of the proposed Pocket Library (QA03) and \$500,000 for the construction of the Valley Hi-North Laguna Creek Library (QA36).

Contact: Dawn Holm, Principal Management Analyst, 808- 5574, Jim Peifer, Senior Engineer, 808-1416, Finance Department.

Action: Moved, seconded, carried (Waters/Fong; Abstain – McCarty) to adopt Resolution No. 2007-088

13. R Street Corridor Improvements

Location: (Citywide)

Recommendation: Adopt a **Resolution** directing staff to seek federal FY08 Transportation Appropriation Funding of \$4.46 million for the R Street Corridor Improvements.

Contact: Azadeh Doherty, Principal Planner, 808-3137, Transportation

Action: Adopted Resolution No. 2007-089

14. Request for Proposals (RFP): Old Sacramento Solid Waste Collection and Diversion Programs

Location: Old Sacramento (District 1)

Recommendation: Adopt a **Resolution** 1) approving for release the Solid Waste Collection and Diversion Programs RFP; and 2) establishing a franchise fee for the exclusive right to engage in the business of collecting, transporting, and disposing of solid waste kept, accumulated, or generated in the Old Sacramento Collection District.

Contact: Ed Astone, Manager, Old Sacramento Management Division, 264-8209, Convention, Culture and Leisure Department.

Action: Adopted Resolution No. 2007-090

15. Railyards Development Agreements Ad Hoc Committee

Location: (Citywide)

Recommendation: Adopt a **Resolution** creating a special committee comprised of four councilmembers to provide policy guidance to City and Redevelopment Agency staff in negotiating project entitlements and development agreements with S. Thomas Enterprises of Sacramento, LLC, and make recommendations to City Council.

Contact: David Harzoff, Special Projects Manager, (916) 808-5385 Marty Hanneman, Assistant City Manager, (916) 808-5704, Office of the City Manager.

Action: Adopted Resolution No. 2007-091

Public Hearings (Item 16 and 17)

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

16. Natomas Basin Habitat Conservation Fee Adjustment (Noticed on 2-2-07)

Location: North and South Natomas (District 1)

Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** adjusting the amount of the Natomas Basin Habitat Conservation Plan (HCP) fee, to be effective in 60 days, and reauthorizing the land dedication requirement.

Contact: Scot Mende, New Growth Manager, 808-4756; and Carol Shearly, Director of Planning, 808-5393, Planning Department.

Action: No public comment given. Moved, seconded, carried (Tretheway/Fong) to close the public hearing and adopt Resolution No. 2007-092

17. Vacation of an Alley Service Easement (Noticed 1/17/07)

Location: Portion of the vacated alley between 3rd Street, 5th Street, "X" Street and Broadway (District 4)

Recommendation: Continue to a future date.

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

Action: Continued to a future date. Item will be renoticed prior to its return

Staff Reports (Item 18 and 19)

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

18. Trespassing on Private Property or Business Premises (Passed for publication on 2-6-07; Published on 2-9,07)

Location: (Citywide)

Recommendation: Adopt an **Ordinance** repealing and reenacting Section 9.16.140 of the Sacramento City Code relating to trespassing on private property within the City of Sacramento.

Contact: Jeff Schiele, Captain, (916) 566-6464; Don Rehm, Lieutenant, (916) 566-6457, Police Department.

Action: Public comment given by Patty Kleinknecht and Ron Emslie. Moved, seconded, carried (Cohn/Waters) adopt Ordinance No. 2007-010 as amended.

19. Resolution Opposing the Confinement of Egg-Laying Hens in Battery Cages

Location: (Citywide)

Recommendation: Resolution provided for council consideration and possible adoption.

Contact: Yvette Rincon, Legislative Analyst, City Manager's Office, (916) 808-5827, Office of the City Manager.

Action: Withdrawn

Information Reports (Item 20)

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

20. Notification of “Final Map and Subdivision Improvement Agreement for Westlake Village Green Phase 2 (P04-121)

Location: Southeast and Southwest of the intersection of Bayou Road and Callison Drive (District 1)

Recommendation: Receive and file.

Contact: Jerry Lovato, Senior Engineering Technician, Phone: (916) 808-7918, Development 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 by Mayor Fargo

1. Human Rights/Fair Housing Commission

- a. Miko Sawamura (incumbent)
- b. Shirley Uplinger (incumbent)

2. Preservation Commission

- a. Frederick Turner (category C)
- b. Rhett Beavers (category E)

3. Design Commission

- a. Hideki Miyamoto

4. City Planning Commission

- a. Christopher Givens (incumbent)
- b. Joann (Jodi) Samuels (incumbent)
- c. Joseph N. Yee (incumbent)

5. Board of Plumbing Examiners

- a. Phil R. Smyth (incumbent)

6. Del Paso Heights Redevelopment Advisory Committee

- a. Leila Robinson (category A)
- b. Robert Grigas (category C)
- c. Eric Joe (category D)

b. Report Backs – None.

c. Meeting/Conference Reports – None.

Recess – 3:30 p.m.

Reconvene – 7:00 p.m.

Roll Call – 7:05 p.m. All present

Pledge of Allegiance – led by Steve Cohn

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

Staff Reports (Item 21 and 22)

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

21. Transportation Significance Threshold Modification

Location: (Citywide)

Recommendation: Adopt a **Resolution** approving the use of both the existing LOS C traffic significance threshold and the recommended thresholds for the General Plan Alternatives within the final environmental analysis; 2) directing staff to proceed with the development of a neighborhood traffic impact analysis methodology; and 3) directing staff to address development impacts to State and regional facilities in a fair and equitable manner.

Contact: Fedolia “Sparky” Harris, Senior Planner, (916) 808-2996, Tom Pace, Principal Planner, (916) 808-6848, Fran Halbakken, Operations Manager, (916) 808-7194, Planning and Transportation Department.

Action: Moved, seconded, carried (Cohn/Fong) adopt Resolution No. 2007-093

22. General Plan Update Status Report and Funding Request

Location: (Citywide)

Recommendation: 1) Provide comment and direction to staff on a) project status and schedule; b) public opinion research results; c) Community Plan Strategy; d) Eastern and Fruitridge/Florin Study areas analysis; e) 2007-2008 outreach strategy; and f) budget implications of staff recommendations; and 2) adopt a **Resolution** authorizing the City Manager to appropriate \$2,017,800 and increase staffing by 5.0 full time equivalent positions to complete the General Plan Update.

Contact: Tom Pace, Long Range Planning Manager, (916) 808-6848, Bob Overstreet, General Plan Executive, (916) 808-7404, Planning Department.

Action: The draft resolution was not adopted. Received and filed.

Public Comments- Matters Not on the Agenda – None.

Council Comments-Ideas, Questions and Meeting/Conference Reports

- a. **Board/Commission Appointments by Mayor Fargo** –None.
- b. **Report Backs**
 - 1. McCarty – requested status report on the gun violence report backs that are to come through the Law and Legislation Committee.
- c. **Meeting/Conference Reports** – None.

Adjournment - 8:45 p.m. in memory of Carl Otto

This is to certify that the foregoing is a true and correct copy of the minutes of the February 13, 2007 meeting as approved by the Sacramento City Council.

Shirley Concolino, City Clerk