



REPORT TO COUNCIL City of Sacramento

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

CONSENT
August 23, 2005

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 Minutes for August 9, 2005.

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*
Shirley Concolino, City Clerk

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MINUTES

City Hall – 915 I Street
First Floor, Council Chamber

TUESDAY, AUGUST 9, 2005 – 2:00 P.M.

Preliminary Matters

1. **Roll Call** – 2:08 p.m.; Mayor Fargo absent; all others present
2. **Closed Session Report:** None.
3. **Special Presentations/General Communications:** None

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

Consent Calendar

All items listed on the consent calendar are considered and acted upon by one motion. A member of the legislative body or staff may request an item be removed for separate consideration.

Moved, seconded, carried (Waters/Sheedy; Mayor Fargo – absent) to adopt the Consent Calendar in one motion except as indicated.

4. **Approval of Minutes**
Location: (Citywide)

Recommendation: Approve afternoon and evening City Council minutes for July 26, 2005.

Contact: Shirley Concolino, City Clerk, (916) 808-7200

Action: Approved Recommendation.

5. **Board Opening: Open an Application Period for Various Boards/ Commissions/ Committees**
Location: Citywide.

Recommendation: Approve opening of application periods for 1) Sacramento Youth Commission to fill four (4) positions. Applications due on 09-09-05; and 2) 65th Street Redevelopment Advisory Committee to fill one (1) position. Applications due on 09-02-05.

Contact: Ruci Katia, Deputy City Clerk, (916) 808-7200, Stephanie Mizuno, Assistant City Clerk, (916) 808-7200.

Action: Approved Recommendation.

Consent Calendar

6. **Appointment: Confirmation of Councilmember Robert King Fong to the Sacramento Transportation Authority.**
Location: (Citywide)
Recommendation: Confirm appointment.
Contact: Ruci Katia, Deputy City Clerk, Stephanie Mizuno, Assistant City Clerk, (916) 808-7200.
Action: Confirmed Appointment.
7. **Supplemental Agreement: Relocation of Existing Audio Visual Equipment from Interim City Hall to Historic City Hall**
Location: (Citywide)
Recommendation: *(2/3 Vote Required)* Adopt a Resolution 1) suspending competitive bidding; and 2) approving Supplemental Agreement No. 1 to City Manager Agreement No. 2004-0699 to Better Presentation Systems, Inc., for the relocation of existing audio visual equipment from Interim City Hall Council Chambers to Historic City Hall Building (Hearing Room) in an amount not to exceed \$131,193.23.
Contact: Karl Rosander, Information Technology Manager, (916) 808-8262.
Action: Adopted Resolution No. 2005-588.
8. **Supplemental Agreement: Insurance Brokerage Services**
Location: (Citywide)
Recommendation: Adopt a Resolution authorizing the City Manager to execute the Second Amendment to City Agreement 2001-219 with Driver Alliant Insurance Service in an amount not to exceed \$53,500 for insurance coverage brokerage services.
Contact: Barbara Brenner, Human Resources, Loss Control Manager, (916) 808-7785.
Action: Adopted Resolution No. 2005-589.
9. **Purchase: Consolidated Computer Hardware and Software Products and Services for Fiscal Year 2006**
Location: (Citywide)
Recommendation: *(2/3 Vote Required)* Adopt a Resolution 1) suspending City competitive bidding; and 2) authorizing the Procurement Services Manager to purchase FY-2006 computer hardware and software products and services through cooperative purchase agreements for a combined amount not-to-exceed \$7,000,00.
Contact: Karl Rosander, Information Technology Manager, (916) 808-8262, Sandra Haslin, Information Technology Manager, (916) 808-7990.
Action: Moved, seconded, carried (Waters/Sheedy; Mayo – absent) to continue to August 23, 2005 as a staff report.

Consent Calendar

10. **Agreement: Equipment Lease and Rental for Drinking Water Treatment Plants**
Location: (Districts 1 and 3)
Recommendation: *(2/3 Vote Required)* Adopt a Resolution 1) authorizing Council to suspend competitive bidding; 2) authorizing the City Manager to enter into agreements for equipment lease and rental with Holt of California, in an amount not to exceed \$150,000, and Pape Machinery/John Deere Credit, Inc., in an amount not to exceed \$150,000.
Contact: Mike Yee, Plant Services Manager, Department of Utilities, (916) 808-5583, Marc Robles, Buyer II, Procurement Services, (916) 808-6343.
Action: Adopted Resolution No. 2005-590.
11. **Grant: Alcoholic Beverage Control (ABC) Liaison Officer**
Location: (Citywide)
Recommendation: Adopt a Resolution 1) authorizing the City Manager to accept a grant award for \$100,000 in funding from the California State Department of Alcoholic Beverage Control; 2) increasing the Police Department's Grant Operating and Grant Revenue Budgets in the amount of \$100,000; and 3) increase the Police Department authorized staffing by 0.80 FTE Police Officer.
Contact: Captain Ted Mandella, Lieutenant Sylvia Moir, Police Department (916) 808-0728.
Action: Adopted Resolution No. 2005-591.
12. **Housing Case Fees and Penalties – Findings of Fact for Special Assessment Liens**
Location: (Citywide)
Recommendation: Adopt a Resolution placing liens on the properties for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.
Contact: Josh Pino, Principal Building Inspector, (916) 808-6518.
Action: Adopted Resolution No. 2005-592.
13. **Code Enforcement Case Fees and Penalties – Findings of Fact for Special Assessment Liens**
Location: (Citywide)
Recommendation: Adopt a Resolution placing liens on properties for unpaid fees and penalties and transmit the unpaid cost to the Sacramento County Auditor/Controller as special assessments against the properties.
Contact: Ron O'Connor, Code Enforcement Manager, (916) 808-8183.
Action: Removed from Consent Calendar for discussion; Moved, seconded, carried, (McCarty/Sheedy; Mayor Fargo – absent) Adopted Resolution No. 2005-593.

Consent Calendar

- 14. Initiate Proceedings: Annexation Number 12 to the Neighborhood Park Maintenance Community Facilities District No. 2002-02**
Location: (District 1, 2, 3, 4, 5, 6)
Recommendation: Adopt a Resolution initiating the CFD annexation process and set a time and place for Public Hearing on September 13, 2005.
Contact: Sini Makasini, Administrative Analyst, Development Engineering and Finance, (916) 808-7967, Ron Wicky, Program Specialist (916) 808-5628.
Action: Adopted Resolution No. 2005-594.
- 15. Funding Award: Real Estate Detective Augmentation**
Location: (Citywide)
Recommendation: Adopt a Resolution authorizing the Police Department to accept the funding from the Real Estate Fraud Prosecution Trust to provide a full-time detective that would investigate all cases of real estate theft and fraud within the City of Sacramento and a part-time clerk for clerical support.
Contact: Captain John Parker, Police Department (916) 433-0551, Lieutenant Milt Nenneman, (916) 433-0552.
Action: Adopted Resolution No. 2005-595.

Public Hearing

- 16. Rezone: Newton Booth Place (P04-222) (Noticed 7-29-05)**
Location: 2700 V Street (District 4)
Recommendation: 1) Review a Resolution amending the Community Plan land use designation for acreage from Low Density Residential to Multi-Family Residential; 2) Pass for Publication as required by Sacramento City Charter 32(c), an Ordinance amending the Comprehensive Zoning Ordinance Title 17 of the Sacramento City Code by removing acreage from Single Family and placing in the Multi-Family zone to develop 15 residential units on property located at 2700 V Street; and 3) continue to August 16, 2005 for adoption.
Contact: Jeanne Corcoran, Senior Planner, (916) 808-5317, Michael York, Assistant, Planner, (916) 808-8239, Development Services.
Action: Moved, seconded, carried (Fong/Pannell; Mayor Fargo – absent) to Pass for Publication an Ordinance title and continue the public hearing to August 16, 2005.

Public Hearing

17. **Rezone: Central City Community Plan Amendment and Rezone: D Street Townhomes (P05-071)**(Continued from August 2, 2005) (Public Hearing Noticed 7-22-05; Passed for Publication 08-02-05; Published 8-5-05)
Location: 1718 D Street and 400 17th Street (District 3)

Recommendation: Conduct a public hearing and upon conclusion 1) adopt a Resolution amending the Central City Community Plan land use map of 1.89± net acres from Industrial to Multi-Family Residential for the properties located in the Central City, specifically at 1718 D Street and 400 17th Street, and 2) adopt an Ordinance amending the Comprehensive Zoning Ordinance Title 17 of the Sacramento City Code, as amended, by removing 1.89± net acres from the Heavy Commercial (C-4) zone and placing it in the Multi-Family Residential (R.-3A) zone.

Contact: Jeanne Corcoran, Senior Planner, (916) 808-5317, David Kwong, Principal Planner, (916) 808-2691.

Public Testimony: Mayor Fargo opened the public hearing; no public testimony; Moved, seconded, carried (Cohn/Pannell; Mayor Fargo – absent) to close public hearing.

Action: Moved, seconded, carried (Cohn/Pannell; Mayor Fargo – absent) to adopt 1) Resolution No. 2005-596; and 2) Ordinance No. 2005-063.

Staff Report

18. **Approval: Posting of Vice-related Convictions**
Location: (Citywide)

Recommendation: Adopt a Resolution authorizing the Police Department to 1) post the name, photograph, charge(s) the subject was convicted of, and general arrest location of subjects convicted of certain vice-related crimes on the Department's Internet site; and 2) pursue broadcasting that same information on the Sacramento Community Cable Foundation's cable television stations, better known as Access Sacramento.

Contact: Captain Jeff Schiele, Lieutenant Tom Sweeney, Police Department (916) 433-0310.

Public Comment: Ron Emslee and Gae Geram.

Action: Moved, seconded, carried (Hammond/Pannell; Mayor Fargo– absent) to continue for 30 days and return with additional information including a policy implementation plan; a comparison and evaluation of what other agencies have done including any legal issues they have encountered and the City Attorney's opinion memo given to Chief Najera. Councilmember Hammond requested statistical data on the vehicle seizure ordinance before and after its adoption.

Staff Report

19. **Subject: Report Back – Fisherman’s Lake Buffer – North Natomas Community Plan Amendment**
Location: Portion of the West Drain from Del Paso to El Centro Roads. (District 1)
Recommendation: Adopt a Resolution describing how to resolve the 7.7. acre “gap” and other issues related to the Fisherman’s Lake Buffer in North Natomas.
Contact: Carol Shearly, New Growth Manager, (916) 808-5893.
Action: Moved, seconded, carried (Tretheway/Fong; Mayor Fargo – absent) to continue to the 7:00 PM evening meeting.
20. **Subject: Membership to California Public Entity Insurance Authority (CPEIA) to Purchase Excess Worker’s Compensation Insurance.**
Location: Citywide
Recommendation: Adopt a Resolution authorizing the City Manager to execute the California Public Entity Insurance Authority (CPEIA) Joint Powers Agreement and Excess Workers’ Compensation Program Memorandum of Understanding and City membership in the CPEIA for the purpose of purchasing insurance.
Contact: Barbara Brenner, Loss Control Manager, (916) 808-7785.
Action: Moved, seconded, carried (Pannell/Waters; Mayor – absent) to adopt Resolution No. 2005-597.
21. **Workshop: Economic Development Strategy and Five-Year Work Plan**
Location: (Citywide)
Recommendation: Offer feedback and comments following staff and consultant presentations on the process and objectives related to an updated Economic Development Department Strategy and Five-Year Work plan.
Contact: Tom Zeidner, Senior Project Manager, Economic Development Department, (916) 808-7223.
Public testimony: David Butler, Sacramento Metropolitan Chamber
Action: Received and filed.

Information

22. Administrative Modifications to the Public Campaign Financing and Contribution Limitation Codes

Location: (Citywide)

Recommendation: Review prior to the issue being Passed for Publication on September 6, 2005 and considered for adoption on September 13, 2005..

Contact: Stephanie Mizuno, Assistant City Clerk, Shirley Concolino, City Clerk (916) 808-7200.

Action: Received and filed.

Citizens Addressing Council (Matters not on the Agenda)

23. Public Testimony

- a. Joyce Foreman- Elder Abuse.

Council Ideas, Questions and Announcements

24. None

Adjournment

25. Adjourned at 4:50 p.m.

MINUTES

City Hall – 915 I Street
First Floor, Council Chamber

TUESDAY, AUGUST 9, 2005 – 7:00 P.M.

Preliminary Matters

1. **Roll Call** – 7:07 p.m. All present.
2. **Pledge of Allegiance** – led by Vice Mayor Tretheway.
3. **Closed Session Report** - None
4. **Special Presentations/General Communications:**
 - a. Recycling Incentive Winners- David Shoemaker, District 8; Leslie Martin, District 5; and Christine Crofoot, District 2
Action: Awards presented; Leslie Martin absent.
 - b. Spare the Air Program – Sacramento Metro Air Quality Management District
Action: Received and filed information report from Jamie Amo and Lori Kobza, Sacramento Metropolitan Air Quality Management District on Spare the Air.
 - c. Report on West Nile Virus and Regional Pesticide Spraying
Action - Received and filed information report from David Brown, Manager, Sacramento-Yolo Mosquito Vector Control District on recent activities.

Public Testimony – Mark Fuoco, Margaret Williams, Bob O'Brien, Phyllis Campanello, Kim Glazzard, Bill Grant, John Schmidt, Eve Bowers, Robin Mackey, Heidi McLean, Leon Lefson,, Scott Verhoef, Duane Underwood, Tina Wong, and Paula Lomazzi.

Staff Report

5. Infill Development Program Status Report

Location: (Citywide)

Recommendation: Receive information on status of infill programs and adopt 1) a Resolution approving the establishment of a Capital Improvement Project and Transfer of Funds for the Folsom Boulevard Left Turn at 64th Street Project (PN: TF91); and 2) adopt a Resolution authorizing the Planning Director to amend the Jobs-Housing Balance Incentive Grant contract with the State to transfer \$278,000 in excess funds from the 65th Street Streetscape (PN: TU96) to the Del Paso Boulevard Streetlighting Project (PN: S151).

Contact: Lucinda Willcox, Infill Coordinator, Development Services Department, (916) 808-5052, Art Gee, Process Management Division Manager, (916) 808-5945.

Action: Moved, seconded, carried (Cohn/Pannell) to adopt Resolution No. 2005-599; Resolution No. 2005-600.

Staff Report

6. Strategic Public Investment/Capital Improvement Approach

Location: (Citywide)

Recommendation: Adopt a Resolution directing staff to outline criteria and potential funding sources to develop strategic public investment program to promote key economic and infill development.

Contact: Lucinda Willcox, Infill Coordinator, Development Services Department, (916) 808-5052,

Action: Moved, seconded, carried (Hammond/Fong) to adopt Resolution No. 2005-601.

Sacramento Housing and Redevelopment Agency

Staff Reports

7. K Street Proposals: 700/800 Blocks

Location: Downtown Sacramento Redevelopment Project Area (District 1)

Recommendation: Conclude the Request for Proposal process and adopt a Resolution authorizing the City Manager to negotiate exclusively for the redevelopment of portions of the 700 and 800 blocks of K Street.

Contact: Michelle Nelson, Sr. Project Manager, Economic Development (916) 808-7223

Action: Moved, seconded, carried (Tretheway/Fong) to continue to August 23, 2005.

8. K Street Proposals: 10th/K

Location: Downtown Sacramento Redevelopment Project Area (District 1)

Recommendation: Adopt a Resolution authorizing the City Manager to negotiate an agreement for Exclusive Right to Negotiate for the redevelopment of the Agency-owned properties located at 10th/K streets.

Contact: Traci Michel, Sr. Project Manager, Economic Development (916) 808-8645

Action: Moved, seconded, carried (Tretheway/Fong) to continue to August 23, 2005.

Citizens Addressing Council (Matters not on the Agenda)

9. Public Testimony

a. Iraq War

1. 53 people signed up; due to the lateness of the hour they provided a short list consisting of the following people: Maggie Coulter, Karen Bernal, George McAdow, Tina Wong, Eric Vega, Ruth Hollbrook, Steve Wirtz and Roanna Krisko.
2. Councilmember Waters asked the city attorney what the Council Rules of Procedure stated with regard to the council taking action on items that were not within the council's jurisdictional control and the city attorney responded with text from Section 10(b)1 of the Council Rules of Procedure which states that "the Council will not consider any resolution, motion, or matter which does not affect the conduct of the business of the city of Sacramento or its corporate powers or duties as a municipal corporation, nor will the Council consider any resolution or motion supporting or disapproving any legislation or action pending in the legislature of the state of California, the congress of the United States, or before any officer or agency of the state or nation unless such proposed legislation or action, if adopted, will affect the conduct of the municipal business or the powers and duties of the city of Sacramento or its officers or employees. This rule may be invoked only before deliberation and by five affirmative votes on the question: "Shall the Council consider this matter."

- b. Mr. Grant - Senior Center and requested an updated RT route list.

Council Ideas, Questions and Announcements

10. Appointments by Mayor Fargo

- a. Matthew Daeschner to the Sacramento Youth Commission

11. Report Back

- a. Councilmember Waters -status report on a previous report back request medicinal marijuana shops and expressed support for the new cell program called "ICE".
- b. Councilmember Cohn-Blue Diamond's agreement Compliance

Supplemental

12. **Report Back – Fisherman’s Lake Buffer – North Natomas Community Plan Amendment** (Continued from 8-9-05 2:00 pm meeting)
- Location:** Portion of the West Drain from Del Paso to El Centro Roads. (District 1)
- Recommendation:** Adopt a Resolution resolving the 7.7. acre “gap” and other issues related to the Fisherman’s Lake Buffer in North Natomas.
- Contact:** Carol Shearly, New Growth Manager, (916) 808-5893.
- Public Comment:** Greg Thatch, Andy Sawyer, Alta Tura, Michael Bradbury, Kevin McRae, and Vicki Lee.
- Action:** Moved, seconded, carried (Tretheway/Pannell) to adopt Resolution No. 2005–598 as amended to include revised Exhibits A and B and to add language in Section 2 clarifying the exhibits.

Adjournment

13. **Adjourned at 11:30 p.m.** in memory of Madelyne McDonald.