



**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, 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

# Summary

**Tuesday, September 2, 2008**

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

# SUMMARY

**Tuesday, September 2, 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 Fargo at 2:08 p.m. Tuesday, September 2, 2008 at the Sacramento City Hall Council Chamber. Councilmember McCarty arrived at 2:10 p.m. All members present.

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

## Consent Calendar (Items 1 - 13)

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

1. **(City Council/Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for August 12, 2008**

**Location:** (Citywide)

**Recommendation:** Approve the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for August 12, 2008.

**Contact:** Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

**Action:** Approved recommendation.

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

**Location:** (Citywide)

**Recommendation:** Confirmation of board/commission appointments: 1) Oak Park Redevelopment Advisory Committee – Dirulislam Abdullah (Category B); 2) Sacramento Metropolitan Arts Commission – Heather Lee Hutcherson (Category A-1) and Carlin Jean Naify (Category A-2); 3) Sacramento Disabilities Advisory Committee – Robert L. Benson, Dawn C. Correia and Jessica R. Springer; 4) City Planning Commission – Panama Bartholomy (Category A), Michael A. Mendez (Category A) and Barry Wasserman (Category A) and 5) Ethel MacLeod Hart Advisory Committee – Diane B. Balter (Category C), Ronald E. Byrd (Category C), Gloria J. Harmon (Category C) and Bill Swayne (Category C).

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

**Action:** City Planning Commission appointment of Barry Wasserman (incumbent) withdrawn. Approved remaining recommended appointments.

3. **Ordinance Amendment: Weed and Rubbish Abatement** (Passed for publication on 8-26-08, published on 8-29-08)

**Location:** (Citywide)

**Recommendation:** Adopt an **Ordinance** amending Sections 8.28.010 through 8.28.040 of Title 8 of the Sacramento City Code relating to Weed and Rubbish Abatement under Health and Safety.

**Contact:** Troy Malaspino, Assistant Chief, Fire Marshal, (916) 808-1620, Fire Department.

**Action:** Adopted Ordinance No. 2008-042.

4. **Grant Acceptance: Sacramento Regional Office of Homeland Security Urban Area Security Initiative (UASI) Program**

**Location:** Sacramento Regional Urban Area

**Recommendation:** Adopt a **Resolution** 1) accepting up to \$3,236,000 in grant funding from the U.S. Department of Homeland Security to continue the implementation of the program; and 2) increasing the Police Department's Grant Operating and Grant Revenue budgets by \$3,236,000.

**Contact:** Milt Nenneman, Lieutenant, (916) 874-2176, Police Department.

**Action:** Removed from Consent Calendar for public comment given by John Burton. Moved, seconded, carried (Hammond/Pannell) to adopt Resolution No. 2008-605 as amended.

5. **Contract: 3<sup>rd</sup> Street Central City Two-Way Conversion Project (T15008004)**

**Location:** 3<sup>rd</sup> Street between I Street and J Street (District 1)

**Recommendation:** Adopt a **Resolution** 1) approving plans and specifications for the project; and 2) awarding the construction contract to C&C Construction Inc. to improve access to Old Sacramento and the Railyards by providing access along 3<sup>rd</sup> Street from J Street for an amount not to exceed \$205,836.

**Contact:** Salam Shehadeh, Assistant Engineer, (916) 419 8407; Jon Blank, Supervising Engineer, (916) 808 7914, Transportation Department.

**Action:** Adopted Resolution No. 2008-606.

CO2008-212

6. **Carella Gardens Neighborhood Traffic Management Program Project (S15071130)**  
**Location:** Generally bounded by 68<sup>th</sup> Avenue on the north, Sylvia Way and Henrietta Drive on the east, Meadowview Road on the south and Amherst Street on the west. (District 8)  
**Recommendation:** Adopt a **Resolution** approving the Carella Gardens Neighborhood Traffic Management Plan (NTMP) Project - Phase 1 Traffic Calming Plan.  
**Contact:** Debb Newton, Program Analyst, (916) 808-6739; Angie Louie, Senior Engineer, (916) 808-7921, Transportation Department.  
**Action:** Adopted Resolution No. 2008-607
7. **Future Bond Reimbursement: Railyard Public Infrastructure**  
**Location:** (Citywide)  
**Recommendation:** Adopt a **Resolution** authorizing the reimbursement, from proceeds of bonds the Sacramento City Financing Authority issues in the future, of certain expenditures for various Railyard Development projects.  
**Contact:** Petra Laptalo, Treasury Analyst, (916) 808-8292; Janelle Gray, Public Finance Manager, (916) 808-8296, Office of the City Treasurer.  
**Action:** Adopted Resolution No. 2008-608
8. **July 2008 Monthly Investment Transactions Report**  
**Location:** (Citywide)  
**Recommendation:** Receive and file.  
**Contact:** Lydia Abreu, Investment and Operations Manager, (916) 808-7746; Shirley Tupaz, Investment Operations Analyst, (916) 808-8295, Office of the City Treasurer.  
**Action:** Received and filed.
9. **Fabrication Building at the Combined Wastewater Treatment Plant (CWTP) Project (W14004200)**  
**Location:** 1391 35<sup>th</sup> Avenue (District 4)  
**Recommendation:** Adopt a **Resolution** rejecting all bids received for the Fabrication Building at the Combined Wastewater Treatment Plant (CWTP) Project.  
**Contact:** Mark Laurenzi, Plant Superintendent, (916) 808-5674; Mike Yee, Plant Services Division Manager, (916) 808-5670, Utilities Department.  
**Action:** Adopted Resolution No. 2008-609.

10. **Agreement: Wetland Mitigation for Basin 31 Detention Basin Project (W14000900)**  
**Location:** Near the intersection of 65<sup>th</sup> Street and Broadway, adjacent to Redding Avenue (District 6)  
**Recommendation:** Adopt a **Resolution** authorizing the City Manager to execute an agreement with Gill Ranch LLC, in a total amount of \$202,500, to purchase vernal pool creation mitigation for this project.  
**Contact:** Marty Hanneman, Interim Director of Utilities (916) 808-1433; David L. Brent, Engineering Manager (916) 808-1420; Rick Batha, Supervising Engineer (916) 808-1448, Utilities Department.
- Action:** Adopted Resolution No. 2008-610. AG2008-0891
11. **Supplemental Agreement: Sampling, Laboratory Analysis and Report Services**  
**Location:** (Citywide)  
**Recommendation:** Adopt a **Resolution** authorizing the City Manager to execute Supplemental Agreement No. 2 to City Manager Agreement No. 2004-0735 with Sequoia Analytical (dba TestAmerica Laboratories, Inc.) to provide analytical information to monitor ground water quality at the landfills for an amount not to exceed \$21,222.75.  
**Contact:** Edison Hicks, Integrated Waste General Manager, (916) 808-4949 Marty Strauss, Integrated Waste Planning Superintendent, (916) 808-4934, Utilities Department.
- Action:** Adopted Resolution No. 2008-611. AG2004-0735-2
12. **Agreement: Combined Sewer System (CSS) Improvement Plan Update Project (X14010022)**  
**Location:** (Districts 1,3,4,5,6)  
**Recommendation:** Adopt a **Resolution** 1) awarding a professional services agreement to Metcalf & Eddy-Boyle / Aecom for an amount not to exceed \$476,247; and 2) transferring Sewer funds in the amount of \$73,900 from the Base CIP Reserve-Sewer Project to the CSS Improvement Plan Project.  
**Contact:** David L. Brent, Engineering Services Manager, (916) 808-1420, David R. Schamber, Supervising Engineer, (916) 808-1423, Bruce Barboza, Senior Engineer, (916) 808-1414, Utilities Department.
- Action:** Adopted Resolution No. 2008-612 AG2008-0892
13. **Supplemental Agreement: Reimbursement/Credit Agreement North Natomas Land Acquisition Program**  
**Location:** (District 1)  
**Recommendation:** Adopt a **Resolution** authorizing the City Manager to execute Supplemental No. 1 to City Agreement 2008-0579 with K. Hovnanian Forecast Homes Northern to allow an advance of North Natomas land-acquisition-fee credits in exchange for an irrevocable letter of credit securing performance under the agreement

**Contact:** Mark Griffin, Fiscal Manager, (916) 808-8788, Planning Department.

**Action:** Adopted Resolution No. 2008-613.

AG2008-0579-1

### **Staff Reports (Item 14)**

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

- 14. Ordinance Amendment: Sacramento Metropolitan Cable Television Commission**  
(Passed for publication on 8-26-08, published on 8-29-08)  
**Location:** (Citywide)

**Recommendation:** Adopt an **Ordinance** amending Section 5.28.300 of the Sacramento City Code and adding Article XIX to Chapter 5.28 of Title 5 of the Sacramento City Code relating to implementation of the Digital Infrastructure and Video Competition Act of 2006 by the Sacramento Metropolitan Cable Television Commission.

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

**Action:** No public comment. Moved, seconded, carried (Sheedy/Waters; Abstain – Hammond) to adopt Ordinance No. 2008-043.

### **Public Comments-Matters Not on the Agenda**

- a. Don Souza – evacuation signs in case of flooding

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

- a. Board/Commission Appointments
1. Sacramento Youth Commission
    - a. Diamond Garnett (D1)
    - b. Jordan Anthony Gonzales (D7)
  2. North Sacramento Redevelopment Advisory Committee
    - a. Mark Underwood (Category C-Residential Tenant)
- b. Reports Back – None.
- c. Meeting/Conference Reports – None

**Recess** – 2:30 p.m. in memory of Fairfield Councilmember Matt Garcia

## Reconvene – 5:00 p.m.

**Roll Call** - A regular meeting of the Sacramento City Council was called to order by Mayor Fargo at 5:08 p.m. Tuesday, September 2, 2008 at the Sacramento City Hall Council Chamber. Councilmember Tretheway absent.

**Pledge of Allegiance** – led by Councilmember Sheedy

### **Special Presentations/General Communications**

a. **Prostate Cancer Awareness Month – September 2008**

**Action:** Proclamation presented to William Doss.

b. **Brief presentation given by Fire Chief on Labor Day weekend fires – full report to return to city council on next week's agenda**

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

### Public Comments-Matters Not on the Agenda

- a. Robert Ramirez – unresponsive Public Safety Accountability Office
- b. Bryan Davies – medicinal marijuana dispensary concerns

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

- a. Board/Commission Appointments
  - 1. Youth Commission
    - a. Chelsea Kennedy (D4)
- b. Reports Back
  - 1. Waters – City Manager report back on number of city employees with take home cars and where those residents live
  - 2. Waters – City Attorney report back on enforcement of city ordinance disallowing medicinal marijuana dispensaries in the City
- c. Meeting/Conference Reports – None

## Adjournment – 5:42 p.m.