



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

DRAFT Minutes

Tuesday, April 27, 2010

6:00 P.M.

City Hall-915 I Street, 1st Floor Council Chamber

Published by the Office of the City Clerk (916) 808-7200

CITY COUNCIL

Kevin Johnson, Mayor
Raymond L. Tretheway III, District 1
Sandy Sheedy, District 2
Steve Cohn, District 3
Robert King Fong, District 4
Lauren Hammond, District 5
Kevin McCarty, District 6
Robbie Waters, Vice Mayor, District 7
Bonnie Pannell, District 8

CHARTER OFFICERS

Eileen Teichert, City Attorney
Shirley Concolino, City Clerk
Gus Vina, Interim City Manager
Russ Fehr, City Treasurer

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard 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 available on the City's Website and located in racks inside the chamber and should be completed and submitted to the Assistant 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 and estimated time for 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 Actions; 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.

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Draft Minutes

Tuesday, April 27, 2010

6:00 P.M.

City Hall – 915 I Street- First Floor Council Chamber

Regular session called to order by Mayor Kevin Johnson at 6:03 p.m. Tuesday, April 27, 2010 at the Sacramento City Hall Council Chamber.

Members Present: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.

Pledge of Allegiance—led by Gabriel Underwood, student participant in Youth @ City Council Program.

Closed Session Report – None.

Special Presentations/General Communications

a. **Mormon Helping Hands-Renewing California Parks**

Action: Presented to John Cassinet.

b. **Recognition of Distinguishing Schools**

Action: Presented to Witter Ranch Elementary, Matsuyama Elementary, David Lubin Elementary, Aspire Capitol Heights Academy and St. HOPE Public School 7.

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time 10 minutes)

1. Oak Park Activities
 - a. Terrence Johnson
 - b. Joany Titherington
2. Senior Issues
 - a. Bill Grant
3. Safeground and Homelessness
 - a. Tracie Rice-Bailey

Consent Calendar (Items 1 -18) **Estimated Time: 5 minutes** (Actual Time 50 minutes)

Action: Moved/Seconded: Member Robbie Waters/Member Bonnie Pannell

Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.

A motion **passed** to adopt the Consent Calendar in one motion except as indicated at each item.

1. **(City Council/Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for April 13, 2010.**

Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for April 13, 2010.

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

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

Location: (Citywide)

Action: Confirmed of board/commission appointment(s): 1) Regional Water Authority – Gus Vina (Executive Alternate), Marty Hanneman and Dan Sherry (City Manager’s designee alternates); 2) Development Oversight Commission – Jeffrey Alan Stowell and Matt Hedges (Category A).

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

3. **Agreement: Community Center Theater Renovation Project**

Location: 1301 L Street (District 1)

Action: Moved/Seconded: Member Lauren Hammond/Member Steve Cohn

Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.

Public comment heard from Marcia Mooney and Richard Lewis, and a motion **passed** adopting **Resolution No. 2010-208** 1) approving and authorizing the City Manager or his designee to execute an agreement with Westlake Reed Leskosky Architects for design services for an amount not to exceed \$3.52 Million for the project as it is in the best interest of the City; and 2) reducing or eliminating funding by \$2.76 million in Community Center Fund (Fund 6010) Capital Improvement Projects (CIPs) to balance the Community Center Fund for Fiscal Year (FY)2009/10 due to shortfalls in Transient Occupancy Tax (TOT) receipts.

Contact: Judy Goldbar, General Manager, (916) 808-5630, Tina McCarty, Administrative Officer, Sacramento Convention Center Complex, (916) 808-8220, Convention, Culture and Leisure Department.

4. **Agreement: Exclusive Catering Services**

Location: 1301 L Street, 1400 J Street, and 1515 J Street (Districts 1 and 3)

Action: Adopted **Resolution No. 2010-209** approving and authorizing the City Manager or his designee to execute an agreement with Centerplate to provide exclusive catering services at the Sacramento Convention Center Complex.

Contact: Judy Goldbar, General Manager, (916) 808-5630, Tina McCarty, Administrative Officer, (916) 808-8220, Convention, Culture and Leisure Department.

5. **Change Order: Historic Depot Building Electrical Re-Feed Project (T15029005)**
Location: 401 I Street (District 1)
Action: Adopted **Resolution No. 2010-210** 1) authorizing the City Manager or the City Manager's designee to execute Change Order No. 1 to Contract No. 2010-0023 with Collins Electrical Company, Inc. to finish the project and keep it on schedule to be completed prior to the start of the Track Relocation Project in an amount not to exceed \$38,804 for a revised total contract amount not to exceed \$418,979; and 2) resetting the City Manager's signature authority.
Contact: James Christensen, Senior Engineer, (916) 808-5863, Yadi Kavakebi, Facilities Superintendent, (916) 808-8432, General Services Department.
6. **Contract: Warren Park Phase 2 Project (L19173000)**
Location: 7420 Vandenberg Drive (District 6)
Action: Adopted **Resolution No. 2010-211** approving the contract plans and specifications for the project and awarding the contract to Parker Landscape Development for the improvement of the park for an amount not to exceed \$388,820.
Contact: Dennis Day, Associate Landscape Architect, (916) 808-7633, J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Parks and Recreation Department.
7. **Administrative Matter: LifeTrail Fitness Stations at Argonaut Park**
Location: 1400 Dickson Street (District 4)
Action: Adopted **Resolution No. 2010-212** 1) repealing Resolution 2010-037; 2) authorizing the City Manager, or City Manager's designee, to execute a Memorandum of Understanding (MOU) with the Sacramento City Unified School District (District) to provide the District with \$40,000 in funding to apply toward the design and construction of the LifeTrail Fitness Stations project at the District's New Technology High School Argonaut Park; 3) authorizing the City Manager, or City Manager's designee, to grant and disburse \$40,000 in District Improvement Community Reinvestment Capital Improvement Program (CRCIP) bond proceeds to the Sacramento Unified School District in accordance with the terms of the MOU; and, 4) defunding and closing the Argonaut Park Fitness Station project (L19013400).
Contact: Sonja Jarvis, Fiscal Lead, (916) 808-8824, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.
8. **Sacramento Students Today Achieving Results (START) Program Annual Evaluation Report**
Location: (Citywide)
Action: Received and filed.
Contact: Dave Mitchell, Operations Manager, (916) 808-6076, Alan Tomiyama, Recreation Manager, (916) 808-8958, Brian Fitzgerald, Recreation Superintendent, (916) 808-6196, Parks and Recreation Department.

9. **(Redevelopment Agency) Demolition and Replacement Housing Plan for 5270 Young Street**

Location: 5270 Young Street Stockton Boulevard Redevelopment Project Area (District 6)

Action: Adopted **Redevelopment Agency Resolution No. 2010-019** a) approving the Replacement Housing Plan for 5270 Young Street; b) authorizing the Executive Director or her designee to take all actions reasonably necessary to demolish the structure located at 5270 Young Street; and c) make related findings.

Contact: Chris Pahule, Assistant Director, Housing and Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency.

10. **(Pass for Publication) Ordinance Amendment: Transit Overlay Zone Amendment (LR10-002)**

Location: (Citywide)

Action: 1) Reviewed an Ordinance amending sections 17.178.020, 17.178.055, and 17.178.060 of Title 17 of the Sacramento City Code (the Zoning Code) relating to the applicability of the Transit Overlay (TO) zone; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted on May 4, 2010.

Contact: Fedolia "Sparky" Harris, Department of Transportation, Senior Planner, (916) 808-2996, Jim McDonald, Community Development Department, Senior Planner, (916) 808-5723, Transportation Department.

11. **(Pass for Publication) Ordinance Amendment: Chapter 12 of City Code Relating to Sidewalk Repair, Maintenance, and Liability**

Location: (Citywide)

Action: Moved/Seconded: Member Steve Cohn/Member Sandy Sheedy

Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, and Robbie Waters .

Absent: Mayor Kevin Johnson.

Public comment heard from Peter Anderson and Pete Rossi, and a motion **passed** to 1) Review an Ordinance repealing and reenacting Chapter 12.32 of the Sacramento City Code relating to Sidewalk Repair, Maintenance and Liability and amending section 18.04.020 of the Sacramento City Code relating to Street Dedications and Improvements and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted May 4, 2010.

Contact: Juan Montanez, Street Services Division Manager, (916) 808-2254, Theresa Arnold, Special Projects Engineer, (916) 808-5514, Transportation Department.

12. Tree Pruning and Removal Services FY08/09 – 09/10

Location: (Citywide)

Action: Moved/Seconded: Member Ray Tretheway/Member Steve Cohn

Yes: Members Steve Cohn, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, and Robbie Waters

Absent: Member Lauren Hammond and Mayor Kevin Johnson.

Public comment heard from Peter Anderson and Pete Rossi, and a motion **passed** to 1) Review Adopted **Resolution No. 2010-213** increasing the cumulative not to exceed amount of the tree pruning and removal services contract with West Coast Arborists, Inc. (City Contract No. 2006-322) by \$300,000 to \$2,300,000.

Contact: Joe Benassini, Urban Forestry Manager, (916) 808-6258, Transportation Department.

13. Honor Park Neighborhood Traffic Management Program Project (S15101101)

Location: Bridgecross Drive on the north, Regency Park on the east, Club Center Drive on the south and Natomas Boulevard on the west (District 1)

Action: Adopted **Resolution No. 2010-214** approving the Honor Park Neighborhood Traffic Management Plan (NTMP) Project - Phase 1 Traffic Calming Plan.

Contact: Cindy Bates, Program Analyst, (916) 808-6738, Angie Louie, Senior Engineer, (916) 808-7921, Transportation Department.

14. Cooperative Agreement: Accessibility Improvement Features for Persons with Disabilities

Location: Various light rail intersections and crossings (Districts 1, 2, 3, 5 & 6)

Action: **Continued to May 4, 2010** to adopt a **Resolution** authorizing the City Manager to execute a cooperative agreement between the City of Sacramento and Sacramento Regional Transit District, where the City constructs accessibility improvements on behalf of Sacramento Regional Transit District (RT) with RT funding.

Contact: Edward Williams, Associate Civil Engineer (916) 808-8288; Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.

15. Agreement: Special District Administrative Services

Location: (Citywide)

Action: Adopted **Resolution No. 2010-216** authorizing the City Treasurer to enter into a contract and execute a Consultant and Professional Services Agreement with NBS Government Finance Group (NBS) to provide district administrative services for the City's 1915 Act Assessment Districts, Mello-Roos Community Facilities Districts and Maintenance Districts for an amount not to exceed \$1,200,000.

Contact: Janelle Gray, Debt Manager, (916) 808-8296, Office of the City Treasurer, Mark Griffin, Program Manager, (916) 808-8788, Finance Department.

16. **Agreements: On-call Construction Management Services**
Location: (Citywide)
Action: Adopted **Resolution No. 2010- 217** authorizing the City Manager to sign Professional Services Agreements to provide construction management services for City construction projects on an on-call basis with 1) Vali Cooper & Associates, Inc, 2) Psomas, and 3) Salabar Associates, Inc., each for an amount not-to-exceed \$200,000.
Contact: David L. Brent, Engineering Services Manager, (916) 808-1420, Brett Grant, Supervising Engineer, (916) 808-1413, Utilities Department.
17. **Agreement: Labor Compliance Field Investigation & Administrative Services**
Location: (Citywide)
Action: Adopted **Resolution No. 2010-218** authorizing the City Manager to sign a professional services agreement with Diversified Contract Management Group Inc. (DCM Group), to provide labor compliance field investigation and administrative services for City construction projects, in an amount not to exceed \$229,029.49.
Contact: Dave Brent, Engineering Services Manger, (916) 808-1420, Brett Grant, Supervising Construction Engineer, (916) 808-1413, Utilities Department.
18. **City Treasurer’s Annual Report on Investments, Cash and Debt [To Be Delivered]**
Location: (Citywide)
Action: Received and filed.
Contact: Russell Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer.

Public Hearings (Item 19)

19. **Estimated Time: 45 minutes (Actual Time 1 Hour 10 minutes)**
Appeal: Freeport Taco Bell Restaurant with Drive-Through Service (P09-037)
(Noticed on 4-16-10)
Location: 5641 Freeport Boulevard, Sacramento, CA 95818; APN: 025-0121-019 (District 4)
Action: Moved/Seconded: Member Robert King Fong/Member Kevin McCarty
Yes: Members Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.
No: Member Steve Cohn.
Action: Conducted a public hearing with public comment heard from Linda Budge (Applicant), Kathleen Barber (Appellant), Ross Kawamuia, Brent Bourgeois, Natalie Bourgios, MaryAnn Bourgeois, John Scott Frasier, Keith Parker, Shawn Eldredge, and Ted Soria; and upon conclusion; a motion **passed** to adopt 1) **Resolution No. 2010-219** determining the project is exempt from environmental review under the California Environmental Quality Act (CEQA) Section 15303(c) and 2) **Resolution No. 2010-220** approving the Freeport Taco Bell with Drive-through project.
Contact: Heather Forest, Associate Planner, (916) 808-5008, Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department.

Discussion Calendar/Staff Reports (Items 20 - 22)

Discussion Calendar items include an oral presentation including those recommending “receive and file”.

20. Estimated Time: 20 minutes (Actual Time 23 minutes)

Agreement: Sacramento Convergence Exclusive Right to Negotiate

Location: (Districts 1 and 3)

Action: Moved/Seconded: Member Ray Tretheway/Member Steve Cohn

Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.

Public comment heard from Marni Leger, Jean Fleury, Bill Camp, Rick Hodgkins, and Mike Barnbaum; and a motion **passed** adopting **Resolution No. 2010-221** approving an Exclusive Right to Negotiate Agreement with Sacramento Convergence, LLC to provide for an evaluation of the Convergence Plan regarding development of a Sports and Entertainment Complex as part of the City’s planned Intermodal project.

Contact: Jim Rinehart, Economic Development Director, (916) 808-5054, Rachel Hazlewood, Senior Development Manager, (916) 808-8645, Economic Development Department.

21. Estimated Time: 40 minutes (Actual Time 30 minutes)

Supplemental Agreement: Reintroduction of Vehicles on K Street

Location: K Street between 8th Street and 12th Street (District 1)

Action: Moved/Seconded: Member Ray Tretheway/Member Steve Cohn

Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.

Public comment heard from Sid Garcia-Heberger, Richard Lewis, Mike Testa, John Deeter, Mark Brandes, David Taylor and Kevin Greene; and a motion **passed** adopting **Resolution No. 2010-222** 1) approving the transfer of \$147,900 (Fund 2007) and \$468,300 (Fund 2001) from the FY07 Economic Development Project (T15076000); \$200,000 (Fund 2007) and \$600,000 (Fund 2001) from FY08 Economic Development Project (T15086000); and \$348,600 (Fund 2007) and \$176,400 (Fund 2001) from FY09 Economic Development Project (T15096000) for a total of \$1,941,200 to Phase II of Vehicular Traffic Options on the K Street Mall (T15095300); 2) approving the transfer of \$800,000 (Fund 2001) from the Central City Two Way Conversion Project (T15008001) to Phase II of Vehicular Traffic Options on the K Street Mall (T15095300); and 3) authorizing the City Manager to execute a Supplemental Agreement No. 1 to City Agreement 2009-0476 with DKS Associates (DKS) for preliminary engineering services for Vehicular Traffic Options on the K Street Mall in an amount not to exceed \$ 150,459 and increase the time for performance to December 31, 2010, and resetting the City Manager’s Supplemental Agreement authority; and 3) requesting staff to evaluate funding options in the future.

Contact: Denise Malvetti, Senior Project Manager, (916) 808-7064, Economic Development Department, Edward Williams, Associate Civil Engineer, (916) 808-8288, Transportation Department.

22. **Estimated Time: 10 minutes** (Actual Time 40 minutes)
(Redevelopment Agency) Approval of Agency Loan Documents for the Maydestone Building
Location: 1001 15th Street, Merged Downtown Redevelopment Area (District 1)

Action: Moved/Seconded: Member Ray Tretheway/Member Robert King Fong

Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.

Public comment heard from Linda Whitney, and Shawn Eldridge; and a motion **passed** adopting **Redevelopment Agency Resolution No. 2010-020** a) authorizing the Redevelopment Agency of the City of Sacramento (Agency) to enter into loan documents to increase the Agency loan from \$4,570,000 to \$6,100,000 for acquisition, construction and permanent financing for the Maydestone Project (Project); b) approving the attached Owner Participation Agreement (OPA) and Loan Agreements (Loan Documents); c) authorizing the Executive Director, or her designee, to execute the Loan Documents and related loan documents associated with the transaction; d) authorizing the Executive Director to defund \$959,000 in Downtown Low/Moderate Tax Increment Taxable Bond Funds (Downtown Taxable Bonds) from the Downtown Notice of Funding Availability Project (NOFA) for the Maydestone Project; e) authorizing the Executive Director to amend the Agency budget to allocate \$959,000 of Downtown Taxable Bonds to the Maydestone Project; and f) authorizing amendment of the Agency budget to allocate \$571,000 in Downtown Low/Moderate Tax Increment Housing Funds (Downtown TI) for the Maydestone Project.

Contact: Christine Weichert, Assistant Director, Housing and Community Development, (916) 440-1353, Jeree Glasser-Hedrick, Redevelopment Manager, Housing and Community Development, (916) 440-1302, Sacramento Housing and Redevelopment Agency.

Information Reports (Item 23)

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

23. **Restructuring Building Valuation Data**
Location: (Citywide)

Action: Received and filed.

Contact: Carl Hefner, Interim Building Official, (916) 808-8779, Ed Short, Supervising Engineer, (916) 808-8859, Community Development Department.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

a. Member Steve Cohn

1. Review 311 recording for wait time in queue.

2. Board/Commission Appointments

None.

Adjourned -10:00 p.m.