



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

# **DRAFT Minutes**

**Tuesday, May 5, 2009**

**City Hall-915 I Street, 1<sup>st</sup> 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, Vice-Mayor, District 5  
Kevin McCarty, District 6  
Robbie Waters, District 7  
Bonnie Pannell, District 8

## **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 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.

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)

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# DRAFT Mintues

**Tuesday, May 5, 2009**

**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 - 6:00 p.m.

**Roll Roll Call** - Regular session called to order by Mayor Kevin Johnson at 6:03 p.m. Tuesday, May 5, 2009 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 Member King Fong.

**Closed Session Report**- None.

## **Special Presentations/General Communications**

- a. **Recognizing National Foster Care Month**  
**Action:** Presented by Lyn Corbett, Youth Development Director.
- b. **Recognizing National Law Enforcement Appreciation Month**  
**Action:** Presented by Member Robbie Waters to Police Chief Rick Braziel.

## Public Comments-Matters Not on the Agenda (2 minutes per speaker)

1. Mike Barnbaum-California Statewide Rail Convention, National Train Day and Hullaballu 2009

## Consent Calendar (Items 1 - 15) Estimated Time: 05 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 21, 2009**  
**Location:** (Citywide)

**Action:** Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for April 21, 2009.

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

- 2. Confirmation of Appointment to the 2009 Sacramento Charter Review Committee**  
**Location:** (Citywide)

**Action:** Confirmed appointment of District 8 Appointee – Grantland Johnson to the 2009 Sacramento Charter Review Committee.

**Contact:** Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.
  
- 3. (Pass for Publication) Ordinance Amendment: Relating to the Parks and Recreation Commission Membership**  
**Location:** (Citywide)

**Action:** 1) Reviewed an Ordinance amending City Code Section 2.62.020 relating to membership requirements of the Parks and Recreation Commission; and 2) passed for publication of title as required by Sacramento City Charter 32(c) to be adopted May 12, 2009.

**Contact:** Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk, Marcy Tierce, Administrative Analyst, (916) 808-5129, Parks and Recreation Department.
  
- 4. (Pass for Publication) (Redevelopment Agency/City Council) Eleventh Amendment to the Redevelopment Plan and 2008-2012 Amended Implementation Plan for the Del Paso Heights Redevelopment Project; and related Ordinance Amendments.**  
**Location: Del Paso Heights Redevelopment Project Area (District 2)**

**Action:** 1) Reviewed a) a Redevelopment Agency Resolution approving the Initial Study/Negative Declaration prepared for the Eleventh Amendment to the Redevelopment Plan for the Del Paso Heights Redevelopment Project; b) a Redevelopment Agency Resolution approving and adopting the 2008 to 2012 Amended Implementation Plan for the Del Paso Heights Redevelopment Project; and c) a City Resolution approving the Initial Study/Negative Declaration prepared for the Eleventh Amendment to the Redevelopment Plan for the Del Paso Heights Redevelopment Project; 2) Review a City Ordinance amending Ordinance Nos. 2884, Fourth Series, 2913, Fourth Series, 85-047, 86-108, 94-046, 98-045, 2003-029, 2003-066, 2005-028, 2005-079 and 2007-035, approving and adopting the Eleventh Amendment to the Redevelopment Plan for the Del Paso Heights Redevelopment Project; and 3) passed for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted on May 12, 2009.

**Contact:** Lisa Bates, Deputy Executive Director, (916) 440-1316, Chris Pahule, Assistant Director, Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency.

5. **(Pass for Publication) Ordinance Amendment: Central City Urban Design Guidelines , Central Core Design Review District and Central City Design Review District and the CBD-SPD Zone (M05-084)**  
**Location:** (Districts 1, 3, and 4)  
**Action:** 1) Reviewed a) Resolution Determining the Central City Urban Design Guidelines and Implementing Ordinances are Exempt from Review under the California Environmental Quality Act; b) an Ordinance to amend Section 17.96.020 of the Sacramento City Code (The Zoning Code) relating to Design Guidelines applicable to the Central Business District Special Planning District; c) an Ordinance to Establish the Central Core Design Review District and Amending the Boundaries of the Central City Design Review District; d) Resolution to adopt the Central City Urban Design Guidelines for the Central City and Central Core Design Review Districts; and 2) passed for publication the Ordinance titles as required by the Sacramento City Charter section 32 (c) to be adopted on May 12, 2009.  
**Contact:** Gregory B. Taylor, AIA, Senior Urban Designer, (916) 808-5268; Luis R, Sanchez, AIA, Senior Architect, (916) 808-5957; William R. Crouch, AIA, NCARB, FRAIA, Urban Design Manager (916) 808-8013, Development Services Department.
6. **Letter of Understanding: Pari-Mutuel Wagering Allocation of Funds Through Fiscal Year 2012/13**  
**Location:** (District 3)  
**Action:** Adopted **Resolution No. 2009-258** authorizing the City Manager to enter into a Letter of Understanding (LOU) with the County of Sacramento and Cal Expo regarding the receipt and disbursement of revenue for pari-mutuel wagering at Cal Expo through Fiscal Year 2012/13.  
**Contact:** James R. Rinehart, Economic Development Division Manager, (916) 808-5054, Economic Development Department.
7. **Agreement: Use of Training Facilities**  
**Location:** (Citywide)  
**Action:** Adopt **Resolution No. 2009-259** authorizing the City Manager, or his designee, to execute the Letter of Agreement with Western Area Power Administration (WAPA) to utilize their training facilities for an initial term of 1 year and up to 4 additional 1 year extensions, for a possible total term of 5 years.  
**Contact:** Ed Vasques, Assistant Chief, (916) 264-7522, Fire Department.
8. **Agreement: Hazardous Materials Response Team Mutual Aid**  
**Location:** (Citywide)  
**Action:** Adopt **Resolution No. 2009-260** authorizing the City Manager, or his designee, to execute a five-year Hazardous Response Team Mutual Aid Agreement to provide hazardous material response service with the County of Sacramento.  
**Contact:** Ed Vasques, Assistant Chief, (916) 264-7522, Fire Department.

**9. Grant/Agreements: Participation in California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team**

**Location:** (Citywide)

**Action:** Adopt **Resolution No. 2009-261** authorizing the City Manager, or his designee, to enter into Memorandum of Agreements (MOAs), as the sponsoring agency of a Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA) Urban Search and Rescue team (US&R), California Task Force Seven (CA TF-7), with 1) El Dorado County Fire District; 2) Mike Kaszpurenko; and 3) Blake Rothfuss for training and potential deployment to disasters per FEMA instruction.

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

**10. Agreement: Johnston Community Center**

**Location:** 231 Eleanor Avenue (District 2)

**Action:** Adopt **Resolution No. 2009-262** 1) finding that it is in the best interest of the City, pursuant to Sacramento City Code section 3.68.110E, to lease the property excluding areas for City swimming pool operations, without bidding; 2) authorizing the City Manager or the City Manager's designee to execute a five-year lease agreement with the Mutual Assistance Network of Del Paso Heights (MAN); 3) authorizing the City Manager or the City Manager's designee to establish revenue and expenditure budgets as required within the Parks and Recreation Department, Teen and Community Recreation Division General Fund budget; and 4) authorizing the City Manager or the City Manager's designee to execute such additional documents and to take such additional actions as necessary to implement the lease agreement for the property.

**Contact:** Rhonda R. Lake, Facilities & Real Property Superintendent, (916) 808-7902, General Services Department, Lori Harder, Support Services Manager, (916) 808-5172, Parks and Recreation Department.

**11. Resolution of Intention: Oak Park Property and Business Improvement District #2009-01 (PBID)**

**Location:** Oak Park Commercial Corridor (District 5)

**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

**Abstain:** Mayor Kevin Johnson

A motion **passed** to adopt **Resolution No. 2009-263** of Intention to renew the Oak Park PBID.

**Contact:** Jodie Vong, Administrative Analyst, (916) 808-8243; Mark Griffin, Fiscal Manager, (916) 808-8788, Planning Department.

- 12. Annexation of 1400 Block of C Street into the Alkali Flats Residential Permit Parking Area (F)**  
**Location:** South side of C Street, from 14<sup>th</sup> Street to 15<sup>th</sup> Street (District 3)  
**Action:** Adopt **Resolution No. 2009-264** annexing the south side of C Street, from 14<sup>th</sup> Street to 15<sup>th</sup> Street, into the Alkali Flats Residential Permit Parking Area (F) and regulate with “Two Hour Parking, Except with Permit”.  
**Contact:** Dean Fujimoto, Operations General Supervisor, (916) 808-5579, Transportation Department.
- 13. Agreement: Richards Boulevard & Interstate 5 Project Study Report (PSR) (T15028210)**  
**Location:** Richards Boulevard and Interstate 5 (District 1)  
**Action:** Adopt **Resolution No. 2009-265** 1) approving the Professional Services Agreement with David Evans and Associates, Inc. to proceed with the PSR for the report for an amount not to exceed \$752,395; and 2) authorizing the City Manager to execute the agreement.  
**Contact:** Jesse Gothan, Associate Civil Engineer (916) 808-6897, Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.
- 14. Contract: Howe Avenue Bridge Joint Rehabilitation Project (T15048902)**  
**Location:** Howe Avenue Bridge over American River (Districts 3 and 6)  
**Action:** Adopt **Resolution No. 2009-266:** 1) approving plans and specifications for the project; and 2) awarding the construction contract to R N R Construction, Inc. for an amount not to exceed \$130,245.  
**Contact:** Ricky Chuck, Senior Civil Engineer, (916) 808-5050, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.
- 15. State Revolving Fund (SRF) Loans and/or Grants and Declaration of Official Intent to Reimburse Certain Expenditures from Proceeds of Obligations**  
**Location:** (Citywide)  
**Action:** Adopt 1) **Resolution No. 2009-267** authorizing the City Manager to sign and file on behalf of the City of Sacramento Financial Assistance Applications from the State Water Resources Control Board (SWRCB) for seven specified Department of Utilities projects; and 2) **Resolution No. 2009-268** declaring the City’s official intent to reimburse certain project expenditures from such funding.  
**Contact:** David L. Brent, Engineering Manager, (916) 808-1420, Rick Matsuo, Supervising Engineer, (916) 808-1728, Utilities Department.

## Public Hearings (Items 16 - 18)

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

16. **Estimated Time: 45 minutes**  
**65th Street Housing (P08-087)** (Noticed on 4-17-09, Passed for Publication on 4-21-09, Published on 4-24-09)  
**Location:** 3111 65<sup>th</sup> Street (District 6)
- Action:** Moved/Seconded: Member Kevin McCarty/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
- Conducted a public hearing with public comment from the applicant and upon conclusion a motion **passed** to adopt 1) **Resolution No. 2009-269** adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan; 2) **Resolution No. 2009-270 as amended** approving the 65th Street Housing Project entitlements; and 3) **Ordinance No. 2009-023** rezoning the subject site from the Standard Single-Family (R-1) zone and the Multi-Family (R-3) zone to the Multi-Family (R-3) zone and the General Commercial Review (C-2-R) zone.
- Contact:** Antonio Ablog, Associate Planner, (916) 808-7702, Joy Patterson, Principal Planner, (916) 808-5607, Development Services Department.
17. **Estimated Time: 10 minutes**  
**Temporary Street Closure of Two Alleyways within the Oak Park Neighborhood/Temporary Closure Proceeding No. TSC 09-01** (Noticed on 4-22-09)  
**Location:** Oak Park neighborhood/ alley bounded by 32<sup>nd</sup>, 33<sup>rd</sup> Streets and 14<sup>th</sup> and alley bounded by 16<sup>th</sup> Avenues, 6<sup>th</sup>, 7<sup>th</sup> Avenues and 37<sup>th</sup> Street and Martin Luther King Jr. Boulevard (District 5)
- Action:** Moved/Seconded: Member Lauren Hammond/Member Bonnie Pannell  
**Yes:** Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, and Robbie Waters  
**Recused:** Mayor Kevin Johnson
- Conducted a public hearing with public comment heard from Estelle Giles; and upon conclusion, a motion **passed** to adopt **Resolution No. 2009-271** authorizing the temporary closure of the two subject alleyways within the Oak Park Community.
- Contact:** Jerry Lovato, Senior Engineering Technician, (916) 808-7918, Thomas Adams, Engineering Technician, (916) 808-7929, Transportation Department.
18. **Estimated Time: 05 minutes**  
**Issuance of Revenue Bonds: Kaiser Permanente** (Noticed on 4-20-09)  
**Location:** 6600 Bruceville Road (District 8)
- Action:** Moved/Seconded: Member Bonnie Pannell/Member Lauren Hammond  
**Yes:** Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson

Conducted a public hearing with public comment heard from Allan Newland; and upon conclusion a motion **passed** to adopt **Resolution No. 2009-272** regarding the issuance of revenue bonds by the California Statewide Communities Development Authority (CSCDA) to benefit Kaiser Permanente.

**Contact:** Kimberlie Gladden, Senior Debt Analyst, (916) 808-2675, Janelle Gray, Public Finance Manager, (916) 808-8296, Office of the City Treasurer.

### **Discussion Calendar/Staff Reports (Items 19 and 20)**

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

**19. Estimated Time: 1 hour**

**Agreement: Downtown/Riverfront Streetcar Project** (Continued from 3-24-09)

**Location:** (Citywide)

**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 Mayor Christopher Cabaldon, William Burg, Alfred bulf, Carl Mletic, Mike Barnbaum; and a motion **passed** to adopt **Resolution No. 2009-273 as amended** approving the renewal of the Memorandum of Understanding (MOU) for continued work on the project with the City of West Sacramento, Regional Transit and Yolo County Transportation District.

**Contact:** Azadeh Doherty, Principal Planner, (916) 808-3137, Transportation Department.

**20. Estimated Time: 1 hour**

**Proposed Resolution Supporting Employee Free Choice Act**

**Location:** (Citywide)

**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 C.T. Weber, Randy Reyes, Todd Snell, Thomas Lawson, Paula Jayne Treadway, Bernard Scoville, Richard Marduson, Emanuel Gale, Bill Camp, Gail ryall, Greg Larkins, Dennis Murphy, Augustin Ramirez, LR Roberts, Zak Ford and; a substitute motion **passed** to approve the Law and Legislation Committee action to adopt **Resolution No. 2009-274** supporting the Employee Free Choice Act.

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

## Information Reports (Item 21 )

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

21. **Update: State-Mandated Parking Citation Penalty Pass-Through**  
**Location:** (Citywide)

**Action:** Received and filed.

**Contact:** Brad Wasson, Revenue Manager, (916) 808-5844, Finance Department.

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

### 1. Report Back

- a. Members Steve Cohn, Bonnie Pannell and Lauren Hammond - report out on the Cap to Cap trip (AB1234)
- b. Member Bonnie Pannell - food vendor spoiled fruit
- c. Member Ray Tretheway - draft a Resolution to authorize the City Attorney to prosecute misdemeanors since the District Attorney is cutting the program

### 2. Board and Commission Appointments

- a. Water Ad Hoc Committee
  1. Robert King Fong
  2. Robbie Waters
  3. Bonnie Pannell
  4. Ray Tretheway
- b. Animal Care Citizens Advisory Committee
  1. Kris L. Liang (Category C)
  2. Eugene Lukehart (Category B)
  3. Yvette Hernande (Category A)
- c. Civil Service Board
  1. Claudia Wrazel
- d. Sacramento Housing and Redevelopment Commission
  1. Joshua Rosa (Category A)
- e. Human Rights and Fair Housing Commission
  1. Claudia Wrazel (Category A)
- f. Small Business Development & Employment Board
  1. Anita Johnson (Category B)
- g. Sacramento Heritage, Inc
  1. Marc De La Vegne (Category A-1)
  2. Janice Calpo (Category A-3)
- h. North Sacramento Redevelopment Advisory Committee
  1. Elmer McCleary
  2. Janice Calpo

Adjourn at 8:15 p.m.