



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

DRAFT Minutes

Tuesday, March 17, 2009

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, 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

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, March 17, 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 Call Regular session called to order by Mayor Kevin Johnson at 6:03 p.m. Tuesday, March 17, 2009 at the Sacramento City Hall Council Chamber.

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

Absent: Members Lauren Hammond and Ray Tretheway.

Pledge of Allegiance led by Member Bonnie Pannell.

Closed Session Report: None.

Special Presentations/General Communications

a. **Proclamation Declaring March 15-21, 2009 as “Sunshine Week: Your Right To Know”**

Action: Presented to JoAnn Fuller, Common Cause

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

1. Animal Care Services
 - a. Debra Armstrong
 - b. Marge Carpenter
 - c. Sue Johnston
2. Homeless
 - a. Cathleen Williams
 - b. Ronald Blubagh
 - c. John Krantz
3. Security and Safety Ordinance for Undocumented Immigrants
 - a. Morgan Zumueta
 - b. Debra Reiger

Consent Calendar (Items 1 - 13) **Estimated Time: 05 minutes**

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

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

Absent: Members Lauren Hammond and Ray Tretheway

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 March 3, 2009**
Location: (Citywide)
Action: Approved the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for March 3, 2009.
Contact: Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk.

2. **Open an Application Period for Various Boards and Commissions**
Location: (Citywide)
Action: Opened an application period for the Sacramento Housing & Redevelopment Commission to open 03/18/09 with applications due 05/01/09.
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.

3. **(City Council/Housing Authority/Redevelopment Agency) Multifamily Lending and Mortgage Revenue Bond Policies**
Location: (Citywide)
Action: Adopted 1) **City Resolution No. 2009-148**; 2) **Housing Authority Resolution No. 2009-005**; and 3) **Redevelopment Agency Resolution No. 2009-022** approving the Multifamily Lending and Mortgage Revenue Bond Policies.
Contact: Lisa Bates, Deputy Executive Director, (916) 440-1330, Christine Weichert, Assistant Director, Housing and Community Development, (916) 440-1353, Sacramento Housing and Redevelopment Agency.

4. **(Pass for Publication) Ordinance Amendment: Dangerous Building and Housing Codes**
Location: Citywide
Action: 1) Reviewed an Ordinance amending Sacramento City Code Sections 8.96.050, 8.96.150, 8.96.270, 8.96.300, 8.96.310, 8.96.320, 8.96.330, 8.96.340, 8.96.350, 8.100.070, 8.100.080, 8.100.220, 8.100.230, 8.100.240, 8.100.290, 8.100.310, 8.100.340, 8.100.360, 8.100.490, 8.100.530, 8.100.660, and adding sections 8.96.155 and 8.100.865 relating to dangerous and substandard buildings; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted on March 24, 2009.
Contact: Max Fernandez, Director of Code Enforcement, (916) 808-7940, Ron O'Connor, (916) 808-8183, Randy Stratton, (916) 808-6497, Code Enforcement Department.

5. **(Pass for Publication) Ordinance Amendment: La Valentina Station Project (P08-106)**
Location: East side of 12th Street, between the C Street/D Street alley and E Street (District 3)
Action: 1) Reviewed a) a Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan; b) a Resolution approving the project; c) an Ordinance amending Title 17 of the Sacramento City Code rezoning a portion of the project site from Residential Mixed Use (RMX) to Multi Family Residential (R-5); and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted on March 24, 2009.
Contact: David Hung, Associate Planner, (916) 808-5530, Stacia Cosgrove, Senior Planner, (916) 808-7110, Development Services Department.
6. **Contract: Weed Abatement and Debris Removal Services**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-149** awarding a one year contract with two one-year renewal options to Essential Design Landscape, the lowest responsible bidder, for weed abatement and debris removal services in an annual amount not to exceed \$125,000 for a total amount not to exceed \$375,000, and authorize the City Manager to enter into such extensions for the foregoing annual not to exceed amount, provided that sufficient funds are available in the budget adopted for the applicable Fiscal Year(s).
Contact: Troy Malaspino, Assistant Chief, Fire Marshal, (916) 808-1620, Fire Department.
7. **Supplemental Agreement: Pocket-Greenhaven Library Project (B13000500)**
Location: 7360 Gloria Drive (District 7)
Action: Adopted **Resolution No. 2009-150** authorizing the City Manager or the City Manager's designee to execute Supplemental No. 1 to City Agreement 2007-1090 between the City of Sacramento and the Sacramento Unified School District ("District") regarding the design and construction of the project, and related improvements.
Contact: Jeff Blanton, Associate Architect, (916) 808-8423, Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.
8. **On-Call General Contractor Services List for Public Facilities [2/3 Vote Required]**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-151** 1) suspending competitive bidding in the best interests of the City; 2) approving an On-Call General Contractor Services List for Public Facilities for a period of one year and authorizing the City Manager or the City Manager's designee to execute one-year contracts for general contractor services in an amount not to exceed \$100,000 each with: a) JC Construction Innovations, Inc. ; b) TDP Construction Services; c) Triamid, Maloney & Bell; and d) Advantage Building Contractors; and 3) requiring all projects that fall under the scope of the On-Call General Contractor List to be reviewed and delivered by the Department of General Services.
Contact: Tony Alexander, General Supervisor, (916) 808-6360, Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

9. Contract Amendment: Public Employees' Retirement System

Location: (Citywide)

Action: Moved/Seconded: Member Sandy Sheedy/Member Kevin McCarty

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

Absent: Members Lauren Hammond and Ray Tretheway

Removed for public comment by JoAnn Fuller (did not speak). A motion **passed** to adopt **Resolution No. 2009-152** 1) amending Contract 89-110 between the City of Sacramento and the Board of Administration California Public Employees' Retirement System (PERS) to provide Section 20434 Fire Safety Plan for Fire Prevention Officers, Section 21574.5 Indexed Level of 1959 Survivor Benefits, and Section 21548 Pre-Retirement Option 2W Death Benefit for police members.

Contact: Geri Hamby, Human Resources Direction, (916) 808-7173, Human Resources Department.

10. Amended Master Plan and Contract: Magnolia Park Project (L19132000)

Location: 251 Greg Thatch Circle (District 1)

Action: Adopted **Resolution No. 2009-153** 1) approving the amended master plan; 2) approving the contract specifications; and 3) authorizing the City Manager to execute the contract with Procida Landscape to develop the entire park site for an amount not to exceed \$846,004.

Contact: Tin-Wah Wong, Associate Landscape Architect, (916) 808-5540, J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Parks and Recreation Department.

11. Services Community Facilities Districts – Amendments to the Fiscal Year 2008/09 Budget

Location: (Citywide)

Action: Adopted 1) **Resolution No. 2009-154** amending the revenue and expenditure budgets for the Willowcreek Landscaping Maintenance Community Facilities District (CFD) No. 98-04; 2) **Resolution No. 2009-155** amending the revenue and expenditure budgets for the North Natomas Transportation Management Association (TMA) CFD No. 99-01; 3) **Resolution No. 2009-156** amending the revenue and expenditure budgets for the North Natomas Neighborhood Landscaping Maintenance CFD No. 99-02; 4) **Resolution No. 2009-157** amending the revenue and expenditure budgets for the North Natomas Landscaping Maintenance CFD No. 3; 5) **Resolution No. 2009-158** amending the revenue and expenditure budgets for the Neighborhood Park Maintenance CFD No. 2002-02; 6) **Resolution No. 2009-159** amending the revenue and expenditure budgets for the Neighborhood Alley Maintenance CFD No. 2003-04, 7) **Resolution No. 2009-160** establishing the revenue and expenditure budgets for the Del Paso Nuevo Landscaping CFD No. 2006-06, all for Fiscal Year 2008/09.

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

12. Agreements: I-5/Cosumnes River Boulevard Extension and Interchange Project (T15018000)

Location: Along Interstate 5, one mile south of Pocket Road/Meadowview Road in the Pocket and Airport Meadowview Planning Areas (Districts 7 and 8).

Action: Moved/Seconded: Member Kevin McCarty /Member Robbie Waters

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

Absent: Members Lauren Hammond and Ray Tretheway

Removed by Member Kevin McCarty requesting a report back regarding the reason this issue did not follow the City's standard Bid process for mitigation credits. A motion **passed** to adopt **Resolution No. 2009-161** 1) authorizing the City Manager to execute a Private Road Crossing Agreement with Union Pacific Railroad (UPRR); 2) authorizing the City Manager to execute a Utility Agreement with Sacramento Regional County Sanitation District (SRCSD) in the amount of \$255,000; 3) authorizing the City Manager to execute an agreement with Wildlands, Inc. to buy credit for vernal pool preservation from Laguna Terrace East Conservation Bank in the amount of \$87,500 and; 4) authorizing the City Manager to execute an agreement with Conservation Resources to buy Basin Habitat Preservation Mitigation Credits for vernal pool shrimp from Gill Ranch Conservation Bank in the amount of \$112,500 for the project.

Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035, Tim Mar, Supervising Engineer (916) 808-7531, Transportation Department.

13. Agreement: Labor Compliance Field Investigation & Administrative Services (15001121)

Location: (Citywide)

Action: Adopted **Resolution No. 2009-162** approving the agreement and authorizing the City Manager to execute the agreement with DCM Group, Inc., to provide professional services for Labor Compliance Field Investigation and Administrative Services for various City construction projects for an amount not to exceed \$172,877.

Contact: David Flores, Jr., Contracts and Compliance Specialist, (916) 808-8277; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Transportation Department.

Public Hearings (Items 14 and 15)

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

**14. Estimated Time: 00 minutes
(Housing Authority) Greenfair Common Area Resolution No. 2009- of Necessity [2/3 Vote Required]** (Noticed on 2-10-09) (Continued from 3-10-09)

Location: Greenfair Subdivision at Broadway and Fairgrounds Drive (District 5)

Action: Moved/Seconded: Member Bonnie Pannell/Member Sandy Sheedy

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

Absent: Members Lauren Hammond and Ray Tretheway

A motion **passed** to continue to March 31, 2009.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1316, Christine Weichert, Assistant Director, Housing and Community Development, (916) 440-1353, Sacramento Housing and Redevelopment Agency.

15. **Estimated Time: 05 minutes**
Weed and Rubbish Abatement Hearing (Noticed on 3-6-09)
Location: (Citywide)

Action: Moved/Seconded: Member Sandy Sheedy /Member Robert King Fong

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

Absent: Members Lauren Hammond and Ray Tretheway

Conducted a public hearing with public comment heard from Mohammad Akhtar and upon conclusion with no unresolved objections, a motion **passed** to adopt **Resolution No. 2009-163** authorizing the Fire Chief to proceed with the abatement of weeds and rubbish in the manner prescribed by Government Code Section (§) 39567 and §39567.1, and Chapter 8.28 of the Sacramento City Code; if there are unresolved objections, staff recommends upon conclusion to the hearing, Council directs staff to prepare Resolution No. 2009-, including finding of facts to be presented to City Council on March 24, 2009

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

Discussion Calendar/Staff Reports (Item 16 - 18)

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

16. **Estimated Time: 10 minutes**
Sister Cities Annual Update
Location: (Citywide)

Action: Received from Starr Hurley, Sister Cities Council Chairperson and filed.

Contact: Lisa Serna-Mayorga, Mayor/Council Operations Manager, (916) 808-7171, Office of the Mayor and City Council.

17. **Estimated Time: 15 minutes**
Justice for Neighbors (JFN) Operating Project
Location: (Citywide)

Action: Moved/Seconded: Member Bonnie Pannell/Member Kevin McCarty

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

Absent: Members Lauren Hammond and Ray Tretheway

A motion **passed** to adopt **Resolution No. 2009-164** 1) establishing a multi-year operating project in the City Attorney's Office for the JFN project; 2) transferring \$6,330 in Externally Funded Programs (Fund 2703) from the Beat Feet project (E11000200) to the JFN project and close E11000200; 3) transferring \$138,269 General Fund (Fund 1001) Gun Litigation Reserve to the JFN project; and 4) authorizing the City Manager to adjust the revenue budget for the City Attorney's Office and the expenditure budget for the JFN project based on the actual fees collected from third parties for Public Nuisance, Social Nuisance and JFN actions brought by the City Attorney annually.

Contact: Eileen M. Teichert, City Attorney, (916) 808-5346 Office of the City Attorney

18. **Estimated Time: 30 minutes**
Review of City's Volunteer Policy [To Be Delivered]
Location: (Citywide)

Action: Moved/Seconded: Member Bonnie Pannell/Member Kevin McCarty

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

Absent: Members Lauren Hammond and Ray Tretheway

A motion **passed** to amend Volunteer Policy API #41 incorporating policy revisions presented with a report back on the Gifts to Share issue.

Contact: Eileen M. Teichert, City Attorney, (916) 808-5346 Office of the City Attorney

Council Comments-Ideas, Questions and Meeting/Conference Reports

a. Report Back

1. Member Sandy Seedy
 - a. More regular briefing Stimulus Funding
2. Member Steve Cohn
 - a. AB 1234 Travel Report on Climate Change Conference
 - b. City staff -point person for energy grants
 - c. City staff-to work on once a month street closure for bike paths on City streets
3. Member Kevin McCarty
 - a. Endorsing AB 962 (Dalion) regarding Ammunition Sales

b. Board/Commission Appointments

1. Community Racial Profiling Commission
 - a. David Clements-District 2
2. Army Depot Redevelopment Advisory Committee
 - a. Jay Narayan-District 6
 - b. Jerry Mayberry-District 6
 - c. Robert Farley-District 6
 - d. Constance Slider-District 6
 - e. Exer Toney-District 6
3. Preservation Commission
 - a. Joe Stinson-Category G
 - b. Scott Blunk-Category D
 - c. Karen Jacues-Category F
4. Small Business Development & Employment Advisory Board
 - a. Tosha Cherry-City Manager Appointee
5. Transportation Programming Guide Community Advisory Committee
 - a. Barbara Sutton-Category A
6. 2009 Sacramento Charter Review Committee
 - a. Chester Newland-District 1
 - b. John Taylor-District 2
 - c. Cecily Hastings-District 3
 - d. Tina Thomas-District 4
 - e. William Jay Wisham-District 5
 - f. Alan LoFaso-District 6
 - g. Robert Murphy-District 7
 - h. Larry Carr-District 8
 - i. Chris Tapio-Mayor
 - j. William Edgar-Personnel and Public Employees
 - k. JoAnn Fuller- Personnel and Public Employees

Adjourned at 7:20 p.m. in Memory of Sam Burns