



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

DRAFT Minutes

Tuesday, April 12, 2011

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
Angelique Ashby, District 1
Sandy Sheedy, District 2
Steve Cohn, District 3
Robert King Fong, District 4
Jay Schenirer, District 5
Kevin McCarty, District 6
Darrell Fong, District 7
Bonnie Pannell, Vice Mayor, 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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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.

DRAFT Minutes

Tuesday, April 12, 2011

6:00 P.M.

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.

Regular session called to order by Mayor Kevin Johnson at 6:02 p.m. Tuesday, April 12, 2011 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.

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

Closed Session Report – None.

Special Presentations/General Communications

City Management Academy Graduates, Class of 2011

Report ID: Report-2011-00135

Estimated Time: 10 min (Actual Time: 15 minutes)

Location: Citywide

Contact: Kris Wimberly, Neighborhood Resources Coordinator, (916) 808-6172, Parks and Recreation Department

US Conference of Mayors Public/Private Partnership Award

Report ID: Report-2011-00354

Estimated Time: 5 min (Actual Time: 10 minutes)

Location: Citywide

Contact: Lisa Serna-Mayorga, Operations Manager, (916) 808-7171, Mayor/Council Office

VIBE Groundbreaking Event Announcement

Estimated Time: 5 min (Actual Time: 7 minutes)

Location: Citywide

Contact: Lisa Serna-Mayorga, Operations Manager, (916) 808-7171, Mayor/Council Office

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time: 12 minutes)

1. City's Janitorial Services
 - a. Bertha Larios
2. Senior Issues
 - a. Bill Grant
3. City Debt
 - a. Marlene Murphy
4. Homelessness
 - a. Erik Wymer
 - b. Mike Kostyshyn

Consent Calendar (Items 1 - 13) Estimated Time: 5 minutes (Actual Time: 2 minutes)

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

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.

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

1 Confirmation of Members to the Sacramento Redistricting Citizens Advisory Committee

Report ID: Report-2011-00380

Location: Citywide

Action: Confirmed to the Sacramento Redistricting Citizens Advisory Committee: Steve Maviglio (Mayor Appointee), Roman Porter (District 1 Appointee), Bill Camp (District 2 Appointee), Cyril Shah (District 3 appointee), Julius Cherry (District 4 Appointee), Stephen Hansen (District 5 Appointee), Bill Motmans (District 6 Appointee), Bernard Bowler (District 7 Appointee), Sandra Frye-Lucas (District 8 Appointee), and Linn Hom, Miranda Perry, Phil Pluckebaum, Maya Wallace, Michelle Rubalcava and Nadia Leal-Carrillo (Personnel & Public Employees Committee Appointees).

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808 8093, Office of the City Clerk

2 Administrative Matter: Correction to Resolution 2011-068 (Redistricting Committee)

Report ID: Report-2011-00381

Location: Citywide

Action: Adopted **Resolution No. 2011-203** 1) increasing the membership of the Sacramento Redistricting Citizens Advisory Committee listed in Resolution 2011-068 and 2) repealing Resolution 2011-068.

Contact: Scot Mende, New Growth Manager, (916) 808-4756; David Kwong, (916) 808-2691, Planning Manager, Community Development Department

3 Ordinance: Natomas Basin Shovel Ready Investment Protection Ordinance (M11-005)

(Passed for Publication on 4-5-11, Published on 4-8-11)

Report ID: Report-2011-00321

Location: Natomas, District 1

Action: Adopted **Ordinance No. 2011-021** pertaining to three year extension of certain land use entitlements and building permits in the Natomas Basin.

Contact: Greg Bitter, Principal Planner, AICP, (916)808-7816; David Kwong, Planning Director, AICP, (916) 808-2691, Community Development Department

4 Extension of Exclusive Right to Negotiate Agreement with Conergy for Solar Photovoltaic Farm - 28th Street Landfill

Report ID: Report-2011-00160

Location: District 3

Action: Adopted **Resolution No. 2011-204** authorizing the City Manager or his/her designee to execute the First Amendment to City Agreement No. 2010-0913 to extend the term of the Exclusive Right to Negotiate a Lease with Conergy Projects, Inc. for an additional one year.

Contact: William Skinner, Interim Integrated Waste General Manager, (916) 808-4932; Marty Strauss, Integrated Waste Superintendent, (916) 808-4934, Department of Utilities

5 CALRecycle Co. Disposal Clean Up Grant Application for Dellar Property

Report ID: Report-2011-00311

Location: District 3

Action: Adopted **Resolution No. 2011-205:** 1) authorizing the City Manager or designee to submit applications to the California Department of Resources Recycling and Recovery (CALRECYCLE) Solid Waste Disposal and Co-Disposal Site Cleanup Program grant in an amount not to exceed \$750,000; 2) authorizing the City Manager or designee to execute all agreements necessary to accept and appropriate the grant funds from CalRecycle contingent upon receipt of grant award; 3) authorizing the City Manager or designee to establish related grant revenue and expenditure budgets in the Dellar Landfill Closure CIP (Y14000700) for the Solid Waste Disposal and CoDisposal Site Cleanup Program grant in an amount not to exceed \$750,000, if awarded; and 4) approving the Resolution required by CALRECYCLE.

Contact: William Skinner, Interim Integrated Waste General Manager, (916) 808-4932; Marty Strauss, Integrated Waste Planning Superintendent, (916) 808-4934, Department of Utilities

6 Cost Sharing Agreement: Prop 1E Grant Application

Report ID: Report-2011-00337

Location: Districts 1, 4

Action: Adopted **Resolution No. 2011-206** authorizing the City Manager or the City Manager's designee to: (1) execute a Cost Share Agreement with the Placer County Flood Control and Water Conservation District for the purpose of preparing a grant application for the State of California Department of Water Resources' Integrated Regional Water Management Grant Program funded by Proposition 1E grant funds; and (2) prepare the necessary data, conduct investigations, file such grant application, and execute the grant agreement with the California Department of Water Resources, up to a maximum grant amount of \$7.5 million.

Contact: Bill Busath, Interim Engineering Manager, (916) 808-1434; Rick Matsuo, Supervising Engineer, (916) 808-1728, Department of Utilities

7 City Signatory Authority for City Properties located within the Proposed Natomas Basin Local Assessment District

Report ID: Report-2011-00346

Location: District 1

Action: Adopted **Resolution No. 2011-207** designating the City Manager or the City Manager's designees as the signatory authority to sign ballots in support of the proposed Natomas Basin Local Assessment District for all City-owned properties to be included in the District.

Contact: Mark Griffin, Program Manager (916) 808-8788, Finance Department

8 Downtown On-Street Bikeway Project (K15116800)

Report ID: Report-2011-00134

Location: Districts 1, 3 and 4

Action: Adopted **Resolution No. 2011-208** 1) establishing the Downtown On-Street Bikeway Project Phases 1 and 2 (K15116800) as a new capital improvement project; 2) approving the transfer of \$629,000 (Fund 2001) from the Central City 2-Way Conversion Project (T15008000) to the project.

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

9 Restriction of through Traffic of the Alleyway Bounded by 14th, 15th, "C" and "D" Streets; Restriction of Traffic Proceeding No. RT11-01

Report ID: Report-2011-00272

Location: District 3

Action: Adopted **Resolution No. 2011-209** authorizing the restriction of vehicular and pedestrian traffic through the alley bounded between 14th, 15th, "C" and "D" Streets.

Contact: Thomas Adams, Engineer Technician II, (916) 808-7929; Nicholas Theocharides, Engineering Division Manager, (916) 808-5065, Department of Transportation

10 (City Council/Redevelopment Agency) Franklin Boulevard Street Improvement Project

Location: Franklin Boulevard Redevelopment Project Area; Franklin Boulevard – 47th Avenue, north to the Sacramento County line; City District 5; County District 2; Jointly Administered Redevelopment Area

Action: **Continued to April 26, 2011** to adopt a 1) **City Resolution** authorizing the Interim City Manager, or his designee to approve California Redevelopment Law 33445 project and environmental findings; 2) **Redevelopment Agency Resolution** authorizing the Executive Director, or her designee to: a) transfer \$2 million from Franklin Boulevard Development Assistance Tax Increment to the Franklin Boulevard Street Improvement Project; and b) execution of a Memorandum of Agreement (MOA) with the County of Sacramento Department of Transportation to transfer \$2 million of Franklin Boulevard Development Assistance Tax Increment to construct the project.

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

11 (Redevelopment Agency) Del Paso Nuevo Phase VI Project

Location: Del Paso Heights Redevelopment Area; District 2

Action: Adopted **Redevelopment Agency Resolution No. 2011-023** 1) authorizing the transfer of the following amounts to the Del Paso Nuevo Project; a) \$236,045 from 1999 Del Paso Heights Tax Exempt Bond Funds; b) \$570,000 from 1999 Del Paso Heights Tax Exempt Capital Project Bond Funds; c) \$792,254 from 2003 Del Paso Heights Tax Exempt Bond Funds; d) \$972,439 from Del Paso Heights Low/Moderate Tax Increment Funds; e) \$7,226 from Del Paso Heights Low/Moderate Tax Increment Funds (FTHB); 2) authorizing the Executive Director, or her designee, to enter into agreements and take all actions necessary to complete construction of infrastructure and public improvements, including awarding and executing a contract with Western Engineering Contractors; and 3) authorizing the Executive Director, or her designee, to consent to the recording of the Final Map of the Del Paso Nuevo Phase VI Subdivision and execute any related documents required to record the Subdivision Map.

Contact: Christine Weichert, Assistant Director, Development Finance, (916) 440-1353; Bern Wikhammer, Redevelopment Manager, Development Finance, (916) 440-1368, Sacramento Housing and Redevelopment Agency

12 Contracts: Weed Abatement and Debris Removal Services [2/3 Votes Required]

(Continued from 4-5-11)

Report ID: Report-2011-00275

Location: Citywide

Action: Adopted **Resolution No. 2011-211** 1) suspending competitive bidding in the best interests of the City to for the procurement of weed abatement and debris removal services; 2) awarding a one year contract with two one-year renewal options to Thunder Mountain Enterprises, Inc., the lowest responsible and responsive bidder as a result of Bid No. B112526011, for weed abatement and debris removal services in a total amount not to exceed \$730,000; 3) awarding a one year contract with two one-year renewal options to Cordell's Weed Abatement, the second lowest responsible and responsive bidder as a result of Bid No. B112526011, for weed abatement and debris removal services in a total amount not to exceed \$730,000; and 4) authorizing the Interim City Manager, or his designee, to execute the contracts specified above and any and all extension(s), provided that sufficient funds are available in the budget adopted for the applicable Fiscal Year(s).

Contact: Michael Bartley, Assistant Chief, Fire Marshal, (916) 808-1619, Fire Department

13 Agreement: Proposition 84 Statewide Park Act Round Two Application Actions (Continued from 4-5-11)

Report ID: Report-2011-00324

Location: Citywide

Action: Adopt **Resolution No. 2011-212 as amended** (adding North Natomas Regional Park as an additional proposal for submission to the Grant Program) 1) authorizing the City Manager or his designee to submit applications to the State of California, California State Parks Department, for Statewide Park Act Competitive grants for amounts not to exceed \$5,000,000 in any single application for Luther Burbank Regional Sports Complex, Park Site FB2 (formerly Manor Recreation and Swim Club), McClatchy Park, Powerhouse Science Center, and Township 9 Riverfront Park.

Contact: Camille Wise, Resource Development Specialist, (916) 808-8830, Parks and Recreation Department, Jennifer Witz, Development Project Manager, (916) 808-2796, Economic Development Department

Public Hearings (Items 14- 18)

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

14 Neighborhood Code Compliance Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed 3/16/2011)

Report ID: Report-2011-00130

Estimated Time: 5 min (Actual Time: 2 minutes)

Location: Citywide

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

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.

Conduct a public hearing and upon conclusion adopt **Resolution No. 2011- 213 as amended** placing liens on the properties for the amount listed on Exhibit A for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

Contact: Dennis Kubo, Code Enforcement Manager, CDD Neighborhood Code Compliance Division (916) 808-8577, Community Development Department

15 Housing Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 2/17/11)

Report ID: Report-2011-00152

Estimated Time: 10 min (Actual Time: 2 minutes)

Location: Citywide

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

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.

Conducted a public hearing and upon conclusion a motion **passed** adopt **Resolution No. 2011-214 as amended** placing liens on the properties for the amount listed on Exhibit A for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

Contact: Randy Stratton, Code Enforcement Manager, (916)808-6497, Community Development Department

16 Development Agreement Amendment for Truxel 3 PUD (P11-021) (Noticed on 4-1-11)

Report ID: Report-2011-00319

Estimated Time: 10 min (Actual Time: 5 minutes)

Location: Northeast corner of Truxel Rd & Gateway Park Blvd, District 1

Action: Moved/Seconded: Member Angelique Ashby/Member Sandy Sheedy

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, and Mayor Kevin Johnson.

Absent: Member Jay Schenirer.

Conducted a public hearing and upon conclusion, a motion **passed** adopting 1) **Resolution No. 2011-215** adopting the previously adopted Mitigated Negative Declaration (MND) per the California Environmental Quality Act and previously adopted Monitoring Mitigation Plan (MMP); 2) **Ordinance No. 2011-022** approving a Development Agreement Amendment to extend the term of an approved Development Agreement.

Contact: Greg Bitter, Principal Planner, AICP, (916)808-7816; David Kwong, Planning Director, AICP, (916) 808-2691, Community Development Department

17 (City Council/Redevelopment Agency) Agreement for the Disposition and Development of Agency-owned Land at 1220 North A Street

Report ID: Report-2011-00362

Estimated Time: 10 min (Actual Time: 9 minutes)

Location: District 1

Action: Moved/Seconded: Member Angelique Ashby/Member Bonnie Pannell

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.

Conducted a public hearing as required under Health and Safety Code §§ 33431 and 33433 for the sale of real estate owned by the Redevelopment Agency of the City of Sacramento ("Agency") located at 1220 North A Street and, upon completion, a motion **passed** 1) **City Resolution No. 2011-216** a) approving CEQA findings; b) accepting the statement and findings of the Agency's 33433 Report; and, c) approving the sale of 1220 North A Street to C&J Warehouse LLC ("Developer"); and 2) **Redevelopment Agency Resolution No. 2011-024** a) approving CEQA findings, b) authorizing the Executive Director to convey the land to Developer, c) authorizing the Executive Director to enter into a Disposition and Development Agreement (DDA) and related documents with the Developer, d) authorizing the Executive Director to acquire 1400 North B Street; e) authorizing the Executive Director to expend up to \$30,000 for closing-related costs..

Contact: Rachel Hazlewood, (916) 808-8645, Senior Development Project Manager, Economic Development Department

18 Swanston Station Transit Village Specific Plan (M09-020) (Noticed 4-1-11, Passed for Publication on 4-5-11, Published on 4-8-11)

Report ID: Report-2011-00255

Estimated Time: 30 min (Actual Time: 14 minutes)

Location: Districts 2 and 3. Swanston Station Transit Village Area is generally bounded by El Camino Ave on the north, Evergreen Street on the south, Capitol City Freeway (Business 80) on the east, and Beaumont and Erickson Streets on the west. Properties fronting on the northern side of El Camino are within the Swanston Station area.

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

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson.

Conduct a public hearing with public comment from Donna Ahlers and upon conclusion a motion passed adopting 1) **Resolution No. 2011-217** certifying the Environmental Impact Report (EIR) and adopting the Mitigation Monitoring Program for the Swanston Station Transit Village Specific Plan, 2) **Resolution No. 2011-218** adopting the Swanston Station Transit Village Specific Plan, 3) **Ordinance No. 2011-023** rezoning various parcels in the Swanston Station Transit Village Specific Plan area, 4) **Ordinance No. 2011-024** establishing the Swanston Station Design Review District and Amending the Boundaries of the North Sacramento Design Review District, 5) **Resolution No. 2011-219** adopting the Swanston Station Design Review Guidelines for the Swanston Station Design Review District, 6) **Ordinance No. 2011-025** repealing Ordinance No. 2006-051, the Swanston Station Interim Ordinance, 7) **Resolution No. 2011-220** designating the Swanston Station Transit Village Development District; and 8) adopting the Swanston Station Transit Village Specific Plan as the Transit Village Plan for the Swanston Station Transit Village Development District.

Contact: Fedolia "Sparky" Harris, Senior Planner (916) 808-2996; Azadeh Doherty, Principal Planner, (916) 808-3137; Jim McDonald, Senior Planner, (916) 808-5723

Discussion Calendar (Items 19 and 20)

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

19 Status Report for the Recruitment of the City Manager [Oral Report]

Report ID: Report-2011-00396

Estimated Time: 15 min (Actual Time: 12 minutes)

Location: Citywide

Action: Provided direction to recruiter regarding key issues and priorities for the next City Manager; discussed characteristics of ideal candidate.

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

20 Justice for Neighbors [To Be Delivered]

Report ID: Report-2011-00333

Estimated Time: 15 min (Actual Time: 15 minutes)

Location: Citywide

Action: Received and filed.

Contact: Gustavo L. Martinez, Supervising Deputy City Attorney, (916) 808-5346, Office of the City Attorney

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

None.

2. Board/Commission Appointments

None.

Adjourned –at 7:50 pm.