



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

# **DRAFT Minutes**

**Tuesday, May 18, 2010**

**6:00 P.M.**

**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, 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, May 18, 2010

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 Vice-Mayor Robbie Waters at 6:03 p.m. Tuesday, May 18, 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, and Robbie Waters

**Members Absent:** Mayor Kevin Johnson.

**Pledge of Allegiance**—led by Roman Phillips, student participant in Youth @ City Council Program.

**Closed Session Report** – None.

## **Special Presentations/General Communications**

- a. **Recognition of May 16-May 22 as “National Public Works Week”**  
**Action:** Presented to President APWA-Steve Height
- b. **Recognition of Oak Ridge High Schools Girls Basketball Team for Winning The NorCal D-1 Title**  
**Action:** Presented to Coach Steve White
- c. **Recognition of the 18<sup>th</sup> Annual Pacific Rim Fest**  
**Action:** Invitation to Councilmembers made by Lisa Clavasillia

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

(Actual Time: 7 minutes)

1. Safeground and Homelessness
  - a. Tracie Rice Bailey
2. Selective Code Enforcement
  - a. Leo Benavidez
3. Fraud
  - a. Robert C Lyon
  - b. Patricia J Lyon

**Consent Calendar (Items 1 -18) Estimated Time: 5 minutes (Actual Time: 3 minutes)**

**Action:** Moved/Seconded: Member Lauren Hammond/Member Kevin McCarty

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

**Absent:** 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 May 4, 2010.**

**Location:** (Citywide)

**Action:** Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for May 4, 2010.

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

**2. Open an Application Period for Various Boards and Commissions**

**Location:** (Districts 4 and 8)

**Action:** Opened an application period on 05/19/10 for the Community Racial Profiling Commission, with applications due 06/18/10.

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

**3. (Pass for Publication) Ordinance Amendment: Administrative Provisions of the Building Code Addressing Building Permit Applications, Processing, and Inspections**

**Location:** (Citywide)

**Action:** 1) Reviewed an Ordinance repealing and re-enacting Chapter 15.08 of Title 15 of the Sacramento City Code, and making conforming amendments to section 3.36.010 and Chapter 15.10; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted May 25, 2010.

**Contact:** Emilie Schell, Program Analyst, (916) 808-5908, Carl Hefner, Chief Building Official, (916) 808-8779, Community Development Department.

**4. Resolution of Intention: Del Paso Boulevard Property and Business Improvement District #2010-01 – (PBID)**

**Location:** Del Paso Boulevard Commercial Corridor, located in Council District 2

**Action:** Moved/Seconded: Member Lauren Hammond/Member Kevin McCarty

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

**Abstain:** Member Sandy Sheedy.

**Absent:** Mayor Kevin Johnson.

A motion passed adopting **Resolution No. 2010-248** of Intention to renew the Del Paso Boulevard PBID in accordance with the PBID Law of 1994 and Sacramento City Code Section 3.92.050 and scheduled a Public Hearing.

**Contact:** Brian Wong, Program Specialist, (916) 808-5778, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

**5. Initiation of Annual Proceedings: Neighborhood Lighting District**

**Location:** This district includes 3 separate neighborhoods: Youngs Heights, Council District 2; Swanston Estates, Council District 3; and Colonial Heights, Council District 5 and District 6

**Action:** Adopted 1) **Resolution No. 2010-249** directing Filing of Annual Report for Fiscal Year (“FY”) 2010/11 for the Neighborhood Lighting District; and 2) **Resolution No. 2010-250** approving Engineer’s Annual Report and Intention to Order Maintenance of Improvements for FY2010/11 for the Neighborhood Lighting District and setting a time and place for a Public Hearing for June 15, 2010.

**Contact:** Brian Wong, Program Specialist, (916) 808-5778, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

**6. Initiation of Annual Proceedings: Power Inn Road Maintenance District**

**Location:** Power Inn Road from 14<sup>th</sup> Avenue to the Regional Transit light rail overcrossing (District 6)

**Action:** Adopted 1) **Resolution No. 2010-251** directing filing of Annual Report for Fiscal Year (“FY”) 2010/11 and 2) **Resolution No. 2010-252** approving Engineer’s Annual Report and Intention to Order Maintenance of Improvements for FY2010/11 and setting a time and place for a Public Hearing for June 22, 2010.

**Contact:** Brian Wong, Program Specialist, (916) 808-5778, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

**7. Annual Report: Northside Subdivision Maintenance District**

**Location:** Main Avenue between Rio Linda Boulevard and Marysville Boulevard, in Council District 2

**Action:** Adopted **Resolution No. 2010-253** adopting the Northside Subdivision Maintenance District Annual Budget and Levy Assessment for Fiscal Year (“FY”) 2010/11.

**Contact:** Brian Wong, Program Specialist, (916) 808-5778, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

**8. Initiation of Annual Proceedings: Neighborhood Landscaping District**

**Location:** Includes 34 separate subdivisions: Chardonnay, Del Paso Nuevo Units 1 & 3, Jones Ranch, Kelton, Sunrise 94, and Evergreen Phase 1 (District 2); Eastland Park Village, (District 4); Zorba Court, (District 5); Elder Place, and 66<sup>th</sup> Street Subdivision, (District 6); Carriage Estates, Villa Palazzo and Windemere Estates, (District 7); Arlington Park 1, Arlington Park Creekside 2, 3 & 4, Brookfield Meadows #2, Cameron 5, Colony Brookfield, Jacinto Village 3, Laguna Verde 1 & 2, Laguna Parkway, Laguna Vega, Laguna Vista, Liberty Lane, Newport Cove, Regency Place,

Shasta Meadows, Sheldon Farms, Sheldon Whitehouse, Stonewood and Wickford Square, (District 8)

**Action:** Adopted 1) **Resolution No. 2010-254** directing filing of Annual Report for Fiscal Year (FY) 2010/11 for the Neighborhood Landscaping District; and 2) **Resolution No. 2010-255** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2010/11 for the Neighborhood Landscaping District and setting a time and place for a Public Hearing for June 22, 2010.

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

**9. Agreements: Energy Efficiency and Conservation Block Grant (EECBG) Funding for the Home Performance Rebate and Small Business Energy Efficiency Pilot Programs**

**Location:** (Citywide)

**Action: Continued to May 25, 2010** to adopt a Resolution authorizing the City Manager or the City Manager's designee to execute Memorandums of Understanding (MOUs) between the City of Sacramento and Sacramento Municipal Utility District (SMUD) to sub-grant EECBG funds for: 1) the Home Performance Rebate program in an amount not to exceed \$908,000; and 2) the Small Business Energy Efficiency Pilot Program in an amount not to exceed \$500,000.

**Contact:** Yvette Rincon, Sustainability Program Manager, (916) 808-5827, General Services Department.

**10. (City Resolution/Redevelopment Agency) Agreement/Supplemental Agreements: Greyhound Terminal Project (B18420000)**

**Location:** 420 Richards Boulevard (District 1)

**Action:** 1) Adopted **City Resolution No. 2010-257** a) authorizing the City Manager to enter into an Individual Project Agreement with the Redevelopment Agency for the transfer of \$180,000 to the Greyhound Terminal Project ("Project"); b) approving an increase in the revenue and expenditure budget by \$180,000 of River District Tax Increment Funds (Fund 3701) for the Project; c) authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 4 to City Agreement 2009-0786 with Mogavero Notestine Associates to design the Sequoia Pacific Boulevard extension to Bannon Street in an amount not to exceed \$58,000; d) authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No.1 to City Agreement 2010-0146 with Rudolph & Sletten, Inc. to design select portions of the project in an amount not to exceed \$58,919; and e) restoring the City Manager's signature authority for this project; and 2) adopt **Redevelopment Agency Resolution No. 2010-022** authorizing the Executive Director to execute an Individual Project Agreement with the City of Sacramento transferring \$180,000 in River District Tax Increment Funds (Fund 3701) to the Project for the design of the Sequoia Pacific Boulevard extension to Bannon Street.

**Contact:** Kirk Thompson, Associate Architect, (916) 808-8431, Gary Szydelko, Supervising Architect, (916) 808-8335, General Services Department, Rachel Hazlewood, Senior Project Manager, (916) 808-8645, Economic Development Department.

- 11. Cooperative Purchase Agreement: Asphalt Paver**  
**Location:** (Citywide)  
**Action:** Adopted **Resolution No. 2010-258** 1) approving the use of Houston-Galveston Area Council (HGAC) cooperative purchase agreement (Contract No. SM10-08) to purchase one asphalt paver from Anderson Machinery in an amount not to exceed \$117,953; and 2) authorizing the City Manager or the City Manager's designee to execute the purchase specified above.  
**Contact:** Keith Leech, Fleet Manager, (916) 808-5869, General Services Department.
- 12. Ordinance Amendment: Sacramento City Code Section 9.44.190 Relating to Animal Redemption Fees (Passed for Publication on 5-11-10, Published on 5-14-10)**  
**Location:** (Citywide)  
**Action:** Adopted **Ordinance No. 2010-013** amending City Code Section 9.44.190 relating to animal redemption fees.  
**Contact:** Penny Cistaro, Animal Care Services Manager, (916) 808-7433, General Services Department.
- 13. Contract: Capitol / L Alley Sewer & Water Replacement, 17<sup>th</sup> to 18<sup>th</sup> St. (X14010050) (To Be Delivered)**  
**Location:** 17<sup>th</sup> to 18<sup>th</sup> Streets between Capitol Avenue and L Street (District 3)  
**Action:** **Continued to May 25, 2010** to adopt a Resolution approving the plans and specifications for the Capitol / L Alley Sewer & Water Replacement, 17<sup>th</sup> to 18<sup>th</sup> St. (X14010050) and awarding the contract to Biondi Paving, Inc. for an amount not to exceed \$186,679.  
**Contact:** David L. Brent, Engineering Services Manager, (916) 808-1420, Rick Batha, Supervising Engineer, (916) 808-1448, Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.
- 14. Contract: 5<sup>th</sup> Street Sewer Upsizing P Street to U Streets (X14010032)**  
**Location:** (Districts 1 and 4)  
**Action:** Adopted **Resolution No. 2010-260 as amended** approving the contract specifications for the 5<sup>th</sup> Street Sewer Upsizing, P Street to U Street Project (X14010032) and awarding the contract to Florez Paving for an amount not to exceed \$1,722,885.  
**Contact:** David L. Brent, Engineering Services Manager, (916) 808-1420, Richard Batha, Supervising Engineer, (916) 808-1448, Utilities Department.

**15. Council Rules and Procedures**

**Location:** (Citywide)

**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.

**Absent:** Mayor Kevin Johnson.

Removed from Consent by Member Lauren Hammond for discussion and a motion **passed** 1) adopting **Resolution No. 2010-261** approving the Council Rules of Procedure; and 2) repealing Resolution No. 2010-053.

**Contact:** Eileen Teichert, City Attorney, (916) 808-5346, Office of the City Attorney, Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

**16. Agreement: Bank of Sacramento Community Banking Effort**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-262** authorizing the Mayor or his designee to approve the Memorandum of Understanding between the City of Sacramento, Office of the Governor, and United Way of the Bay Area regarding the Bank on Sacramento/California Program.

**Contact:** Russell T. Fehr, City Treasurer, (916) 808-5168, Office of the City Treasurer.

**17. Contract Authorization: Sacramento Employment and Training Agency (SETA) for Customer Tracking System**

**Location:** (District 2)

**Action:** Adopted **Resolution No. 2010-263** authorizing SETA to contract with Geographic Solutions in an amount not to exceed \$110,000 for a customer tracking system.

**Contact:** Edward Proctor, Information Technology Chief, (916) 263-4020, Sacramento Employment and Training Agency.

**18. Sacramento Employment and Training Agency (SETA) Fiscal Year 2009-2010 Agency Budget**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-264** approving the Fiscal Year 2009-2010 Modified Operating Budget for the Sacramento Employment and Training Agency in the amount of \$103,464,530.

**Contact:** Roy Kim, Fiscal Department Chief, (916) 263-3814, Sacramento Employment and Training Agency.

## Public Hearings (Items 19)

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

19. **Estimated Time: 30 minutes** (Actual Time: 12 minutes)  
**Citywide Fees and Charges Report** (Continued from 3-23-10, Noticed on 1/15/10 and 1/22/10)  
**Location:** (Citywide)  
**Action:** Moved/Seconded: Member Ray Tretheway/Member Bonnie Pannell  
**Yes:** Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, and Robbie Waters.  
**Absent:** Mayor Kevin Johnson.  
**Action:** Conducted a public hearing with public comment heard from Jonathan Rewers and upon conclusion, a motion **passed** adopting **Resolution No. 2010-265 as amended** approving proposed new fees and fee increases **but removing the Parks and Recreation fee increases and beginning the Home Occupation Permit at \$175 and increasing to \$300 in FY2011/12.**  
**Contact:** Leyne Milstein, Finance Director, (916) 808-8491, Jason Bader, Senior Management Analyst, (916) 808-5817, Finance Department.

## Discussion Calendar/Staff Reports (Items 20 and 21)

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

20. **Estimated Time: 15 minutes** (Actual Time: 14 minutes)  
**Agreement: Panhandle Tax-Exchange (M05-031 / P05-077)**  
**Location:** South of Elkhorn Boulevard, north of Del Paso Road, west of Sorento Road/Adjacent (District 1)  
**Action:** Moved/Seconded: Member Ray Tretheway/Member Lauren Hammond  
**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 George Phillips and Tom Eres; and a motion **passed** adopting **Resolution No. 2010-266** approving a tax-exchange agreement between the City and the County of Sacramento relating to a proposed annexation of land in the Panhandle area to the City of Sacramento.  
**Contact:** Scot Mende, New Growth Manager, (916) 808-4756, Community Development Department, Leyne Milstein, Finance Director, (916) 808-8491, Finance Department.

21. **Estimated Time: 1 hour and 30 minutes (Actual Time:1 hour and 56 minutes)**  
**Transmittal of Citywide Financial and Operational Review Final Report**  
**Location:** (Citywide)

**Action:** Direction given to staff with public comment heard from Terrence Jones, John Orsi, Donald Lyman, Dr Trochet, Pauline Tracey, Jullie Kauffman, Scherita Adams, Aaron Donato, Marcia Mooney, Steve Crouch, Donald Rollofson, Debra Payne, Matthew Campbell, Jon Roth, Bonita Mallory, Kate Varanelli, Robert Meagher, Kim Glazzard, Betty Williams, Elma Sykes, Chris Andrew, Derrell Roberts, and Tyrone Netters.

**Contact:** Andrew Belknap, Management Partners, (408) 437-5400, Arne Croce, Management Partners, (408) 437-5400, Management Partners, Mark Preswitch, Special Projects Manager, (916) 808-5380, Office of the City Manager.

### Information Reports (Item 22)

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

22. **Withdrawal: Appeal for the Alhambra Walgreens (P08-009)**  
**Location:** 1212 / 1218 Alhambra Boulevard and 3022 / 3030 L Street (District 3)

**Action:** Received and filed.

**Contact:** Evan Compton, Associate Planner, (916) 808-5260, Stacia Cosgrove, Senior Planner, (916) 808-7110, Community Development Department.

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

#### 1. Report Back

a. Member Lauren Hammond

1. Colonial Heights Road Rehabilitation Scheduled Date

b. Member Steve Cohn

1. Members should give better direction to their Community Racial Profiling Commission representatives.

#### 2. Board/Commission Appointments

a. 65<sup>th</sup> Street Redevelopment Advisory Committee

1. Eric Guerra
2. Scott Lee

Adjourned at 9:05 p.m. in memory of Elmer Aldrich.