REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

CONSENT
May 5, 2009

Honorable Mayor and Members of the City Council, Financing Authority
Housing Authority, and Redevelopment Agency

Title: Approval of Council Minutes

Location/Council District: (Citywide)

Recommendation:

Approve the evening City Council, Financing Authority, Housing Authority and Redevelopment Agency for April 21, 2009.

Contact: Shirley Concolino, City Clerk, (916) 808-7200

Presenters: None

Department: City Clerk

Division: None

Organization No: 0700

Financial Considerations: None.

Environmental Considerations: None.

Policy Considerations: None.

ESBD Considerations: Not Applicable.

Respectfully Submitted by: Dawn Buchenhof
for Shirley Concolino, City Clerk

Table of Contents:

Minutes for April 21, 2009

Meetings of Sacramento
City Council
Redevelopment Agency
Housing Authority
Financing Authority

DRAFT Minutes

Tuesday, April 21, 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, April 21, 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, April 21, 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 Kevin McCarty.

Closed Session Report- None

Special Presentations/General Communications

a. **Recognizing April as Fair Housing Month**

Action: Presented by Barbara Lehman

b. **Recognizing April 20-24 as Mosquito Week**

Action: Presented to Dave Brown

c. **Festival de la Familia**

Action: Presented by Susie Cano-Guzman and Hector Bautista

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

1. Zach Jones-Camp Sacramento

Consent Calendar (Items 1 - 18) Estimated Time: 05 minutes

Action: Moved/Seconded: Member Robbie Waters/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

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 7, 2009**
Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for April 7, 2009.

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

2. **(Redevelopment Agency) Station 65"Project Funding in Support of Proposition 1C Applications**
Location: 65th Street and Folsom Boulevard, 65th Street Redevelopment Project Area (District 3)

Action: 1) Adopted **Redevelopment Agency Resolution No. 2009-028** authorizing the Sacramento Housing and Redevelopment Agency ("Agency") Executive Director, or her designee, to support an application for California Proposition 1-C Transit Oriented Housing Program funds and an application for Proposition 1-C Infill Infrastructure Program funds to benefit the proposed Station 65 mixed-use Transit Oriented Development project ("Station 65 Project"); and 2) finding, pursuant to Health and Safety Code §33445, that a) construction to relocate the Sacramento Regional Transit District's ("Regional Transit" or "RT") 65th Street bus transfer facility (the "RT Project") will help eliminate blighting conditions and facilitate development of the Station 65 Project; b) finding that the RT Project and the Station 65 Project will benefit the 65th St. Redevelopment Area (RDA) in achievement of adopted RDA Implementation Plan goals; c) approving up to $3.5 million of 65th Street Redevelopment Area Developer Assistance Tax Increment funds to construct the RT Project and/or the Station 65 Project contingent upon: i) approval of competitive construction bids for the RT Project; ii) Agency governing board findings that the RT governing board has cleared the RT Project environmentally under the California Environmental Quality Act ("CEQA") and under the National Environmental Policy Act ("NEPA"); and iii) findings by the Agency's governing board and RT's governing board that, consistent with California Community Redevelopment Law Section 33445, there are no other feasible means of financing the RT Project; and iv) repayment by the City Department of Utilities of a $1.925 million bridge loan comprised of tax-exempt bond proceeds used to acquire the 65th Street Detention Basin property; and v) approval of a RT Project funding agreement by the Agency and RT governing boards; and 3) amend the Agency's budget accordingly; and 4) authorize preparation by Agency staff of agreements for Agency gap financing assistance to Station 65, subject to future Agency governing board action.

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.

3. **(Redevelopment Agency) Approval of Owner Participation Agreement and Loan Documents for Maydestone Building Project**
Location: 1001 15th Street (District 1)

Action: Adopted with comment from Member Ray Tretheway, **Redevelopment Agency Resolution No. 2009-029** a) approving Downtown Low/Moderate Tax Increment (TI) funds for an Agency loan of $4,570,000 for the project, b) authorizing the Agency to transfer Downtown Low/Moderate TI funds for a loan of up to $4,570,000 for the project, and c) authorizing the Executive Director, or her designee, to execute an Owner Participation Agreement (OPA) and loan documents with the developer.

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

4. **Township 9 Project Funding in Support of Proposition 1C Applications**
Location: Township 9 Planned Unit Development, 7th Street and Richards Boulevard, River District Redevelopment Area ("RDA") (District 1)

Action: Adopted **Resolution No. 2009-225** 1) supporting an application for $12,775,000 in California Proposition 1C Transit Oriented Housing Program funds; 2) supporting an application for $7,200,000 in Proposition 1C Infill Infrastructure Program funds—both intended to benefit the proposed St. Anton affordable housing project ("St. Anton Project") in the Township 9 Planned Unit Development ("PUD"); 3) authorizing the Sacramento Housing and Redevelopment Agency ("Agency") to commit up to $3,000,000 in City Housing Trust Fund funds for the St. Anton Project; 4) amending the Agency budget accordingly; 5) authorizing the Agency to negotiate terms and conditions of a loan agreement for up to $3,000,000 and other related documents for the St. Anton Project, subject to future review and approval by the Agency's governing board; and 6) approving and adopting the findings of a Mitigated Negative Declaration for the Project under the California Environmental Quality Act ("CEQA").

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.

5. **Convention Center Complex Catering (2/3 vote required)**
Location: 1400 J Street (Districts 1 and 3)

Action: Adopted **Resolution No. 2009-226** suspending competitive bidding in the best interest of the City, in order to use a Request for Proposal (RFP) process to seek the best company to award exclusive catering rights in the Sacramento Convention Center Complex.

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

6. **(Pass for Publication) 65th Street Housing (P08-087)**
Location: 3111 65th Street Sacramento (District 5)

Action: 1) Reviewed a) a Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan; b) Resolution No. 2009- approving the 65th Street Housing Project entitlements; c) an Ordinance 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; and 2) pass for publication the Ordinance title as required by the Sacramento City Charter 32c to be adopted May 5, 2009.

Contact: Antonio Ablog, Associate Planner, (916) 808-7702, Joy Patterson, Principal Planner, (916) 808-5607, Development Services Department.

7. **Agreement: Issuance of Revocable Permit at Alhambra Reservoir**
Location: Alhambra Reservoir, 3230 J Street, Council District 3

Action: Adopted **Resolution No. 2009-227** 1) authorizing the City Manager or the City Manager's designee to execute a ten-year Agreement for Issuance of a Revocable Permit with one ten-year renewal option with MetroPCS for installation and maintenance of communications equipment and antennas at Alhambra Reservoir; and 2) authorizing the City Manager or the City Manager's designee to establish the necessary financial accounts needed for the administration of the Neighborhood Enhancement Program/Project that will be funded from the proceeds of this agreement.

Contact: Bill Sinclair, Program Manager, (916) 808-1905, General Services Department, Ron Adams, Water & Sewer Superintendent (Plant), (916) 808-7830, Utilities Department.

8. **Agreement: Valley Hi/North Laguna Library Project (B13000800)**
Location: 7320 Cotton Lane (District 8)

Action: Adopted **Resolution No. 2009-228** authorizing the City Manager or the City Manager's designee to execute a memorandum of understanding between the City of Sacramento and the Sacramento Public Library Authority (Library Authority) to reimburse the Library Authority for the purchase of the opening day materials collection services for the project in an amount not to exceed $750,000.

Contact: Jeff Blanton Associate Architect, (916) 808-8423, Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

9. **Increase Settlement Authority in Workers' Compensation and Tort Cases**
Location: (Citywide)

Action: Adopted **Resolution No. 2009-229** 1) repealing Resolution 2005-729 in its entirety; 2) providing settlement authority to the City Manager and designated city staff for both workers' compensation and tort claims; 3) creating the Workers' Compensation Claims Committee, with settlement authority up to $100,000; and 4) creating the Tort Claims Committee with settlement authority up to $100,000.

Contact: Patrick Flaherty, Risk Manager, (916) 808-8587, Human Resources Department.

10. **2008 Risk Management Annual Report**
Location: (Citywide)

Action: Received and filed.

Contact: Patrick Flaherty, Risk Manager, (916) 808-8587, Human Resources Department.

11. **(Pass for Publication) Ordinance Amendment: Penalties Regarding Domestic Birds or Animals in a Park**
Location: (Citywide)

Action: 1) Reviewed an Ordinance amending Sacramento City Code Section 12.72.020(B) to increase the punishment for violating Section 12.72.060(P) of the Sacramento City Code from an infraction to a misdemeanor for those who kill, chase, wound, or capture any wild or domestic bird or animal in a park; and 2) pass for publication the ordinance title as required by Sacramento City Charter § 32(c) to be adopted April 30, 2009.

Contact: Alan Tomiyama, Recreation Manager, (916) 808-8958, Parks and Recreation Department.

12. **Supplemental Agreement: Sutter's Landing Regional Park Project (L19167100)**
Location: 20 28th Street (District 3)

Action: Adopted **Resolution No. 2009-230** 1) authorizing the City Manager to execute Supplemental Agreement No. 4 to City Agreement 2007-0869 with Callander Associates Landscape Architecture, Inc. for the improvement of the project in an amount not to exceed $30,240.

Contact: Roy Tatman, Associate Landscape Architect, (916) 808-5326, J.P. Tindell, Park Planning and Development Services Manager, (916) 808-1955, Parks and Recreation Department.

13. **Informal Agreements Exceeding $100,000: Saenz Landscape Construction Company**
Location: (Citywide)

Action: Received and filed.

Contact: J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.

14. Grant/ Agreement: Interoperable Emergency Communications Grant Program (IECGP)
Location: (Citywide)

Action: Adopted **Resolution No. 2009-231** 1) authorizing the City Manager, or his designated representative, to accept on behalf of the City of Sacramento up to $418,450 in grant funding for the IECGP from the State of California, Emergency Management Agency (CalEMA), sub-granted through the City and County of San Francisco; 2) authorizing the City Manager, or his designated representative, to execute on behalf of the City of Sacramento a Memorandum of Understanding with the City and County of San Francisco for purpose of implementing IECGP projects; 3) increasing the Police Department's Grant Operating and Grant Revenue budgets by $418,450; and 4) amending the Police Department budget (DeptID 11001411) to add one FTE Administrative Analyst necessary to implement the IECGP, to be fully funded by the grant.

Contact: Tom Sweeney, Lieutenant, (916) 874-2172, Police Department.

15. Recovery Act Edward Byrne Memorial Competitive Grant Program
Location: (Citywide)

Action: Adopted 1) **Resolution No. 2009-232** applying for Comprehensive Community-Based Data-Driven Approaches to preventing and reducing violent crime grant from the program including any necessary certifications for $351,175, 2) **Resolution No. 2009-233** applying for Comprehensive Community-Based Data-Driven Approaches to preventing and reducing violent crime grant from the program including any necessary certifications for $614,200; 3) **Resolution No. 2009-234** applying for Reducing Mortgage Fraud and Crime related to Vacant Properties grant for the program including any necessary certifications for $177,887; and 4) **Resolution No. 2009-235** applying for Enhancing Forensic and Crime Scene Investigations Grant from the program including any necessary applications for approximately $514,600.

Contact: Jim Maccoun, Captain, (916) 808-0841, Police Department.

16. (Pass for Publication) Ordinance Amendment: Encroachment and Excavation Permits and Street and Sidewalk Use Regulation
Location: (Citywide)

Action: Moved/Seconded: Member Robbie Waters/Member Lauren Hammond

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

Abstain: Member Steve Cohn

A motion **passed** to 1) Review an Ordinance repealing Sections 12.08.040, 12.08.050, 12.08.110, 12.08.160 and amending Sections 12.08.060, 12.16.020, 12.16.200, 12.16.210, 12.20.010, 12.20.020 and 12.24.110 of Chapter 12 of the City Code relating to Encroachment and Excavation Permits and Street and Sidewalk Use Regulations; and 2) pass for publication the Ordinance title as required by the Sacramento City Charter 32(c) to be adopted April 30, 2009.

Contact: Jon Blank, Supervising Civil Engineer, (916) 808-7914, Nicholas Theocharides, (916) 808-5065, Transportation Department.

17. **Certification of a Sewer System Management Plan**
Location: (Citywide)

Action: Adopted **Resolution No. 2009-236** certifying compliance of the City Sewer System Management Plan with the State Waste Discharge Requirements for the City separated sewer collection system.

Contact: David L. Brent, Engineering Manager, (916) 808-1420, Sherill Huun, Supervising Engineer, (916) 808-1455, Utilities Department.

18. **Acceptance of Grant: Purchase 600 Green Waste Containers**
Location: (District 2)

Action: Adopted **Resolution No. 2009-237** authorizing the City Manager or designee to accept on behalf of the City funds in the amount of $30,000 from the Sacramento-Yolo Mosquito and Vector Control District for the purchase of 600 green waste containers for distribution to the residents of the South Side Park Neighborhood Association.

Contact: Edison Hicks, Integrated Waste General Manager, (916) 808-4949, Marty Strauss, Integrated Waste Planning Superintendent, (916) 808-4934, Utilities Department.

Public Hearings (Items 19 and 20)

19. **Estimated Time: 15 minutes**
Entertainment Permit Fees for FY10 (Noticed on 4-8-09 and 4-15-09)
Location: (Citywide)

Action: Moved/Seconded: Member Steve Cohn/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

Conduct a public hearing with public comment heard from William Burg and Vivian Gerlach; and upon conclusion a motion **passed** to adopt **Resolution No. 2009-238** approving the FY10 fees for Entertainment Permits

Contact: Bob Rose, Code Enforcement Manager, (916) 808-5947, Code Enforcement Department.

20. **Estimated Time: 10 minutes**
(Redevelopment Agency) Proposed Eleventh Amendment to the Del Paso Heights Redevelopment Plan (Noticed 3-17-09, 3-24-09, 3-31-09, 4-7-09 and 4-14-09)
Location: Del Paso Heights Redevelopment Project Area (District 2)

Action: Moved/Seconded: Member Sandy Sheedy/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

1) Conducted a Joint Public Hearing with testimony heard from Dale Clark and Alyce Mithchell on the proposed Eleventh Amendment to the Redevelopment Plan for the Del Paso Heights Redevelopment Project and 2008-2012 Amended Implementation Plan; and a motion **passed** to 2) consider the Plan on May 5 and 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.

Discussion Calendar/Staff Reports (Item 21 - 23)

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

21. Estimated Time: 30 minutes
Technical Update to the 2005-2010 Parks & Recreation Master Plan
Location: (Citywide)

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

A motion **passed** to adopt 1) **Resolution No. 2009-239** approving the Addendum to the Negative Declaration for the City of Sacramento Parks and Recreation Master Plan 2005-2010 Technical Update; and 2) **Resolution No. 2009-240** approving the City of Sacramento Parks and Recreation Master Plan 2005-2010 Technical Update as amended to include appoval to build a community center in Shasta Park rather than the neighborhood center.

Contact: Mary de Beauvieres, Principal Planner, (916) 808-8722, J. P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.

22. Estimated Time: 30 minutes
Report Back on the Organizational Placement of the City Auditor

Location: (Citywide)

Action: Moved/Seconded: Member Steve Cohn/Member Kevin McCarty

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

No: Mayor Kevin Johnson

A motion **passed** directing the City Manager, City Attorney and City Auditor to work together on a report back to Council on a future Auditor reporting structure and recommended expedited hiring process.

Contact: Marty Kolkin, City Auditor, (916) 808-5704, Office of the City Manager

23. **Estimated Time: 30 minutes**
Update: American Recovery and Reinvestment Act of 2009

Location: (Citywide)
Action: Received and discussed.

Contact: Michelle Heppner, Special Projects Manager, (916) 808-1226, Patti Bisharat, Director of Governmental Affairs, (916) 808-8197, Office of the City Manager.

24. **Consent to Orrick's Serving as Bond Counsel for the State of California in Connecton with the City's Purchase of State General-Obligation Bonds (To Be Delivered)**

Location: (Citywide)

Action: Moved/Seconded: Member Robbie Waters/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
A motion **passed** as a Consent Calendar item to adopt **Resolution No. 2009-241** consenting to Orrick's serving as bond counsel for the State of California in the City's purchse of state general-obligation bonds.

Contact: Joe Cerullo, Senior Deputy City Attorney (916) 808-5346, Office of the City Attorney; Russel T Fehr, City Treasurer and John Colville, Senior Investment Officer (916) 808-5168, Office of the City Treasurer.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. **Report Back**
   a. Member Kevin McCarty
      1. Styrofoam containers at restaurants referred to Law and Legislation Committee
      2. Plastic bag policy in supermakets referred a support position to Law and Legislation Committee
   b. Member Sandy Sheedy
      1. Board and Commission City staffing and associated costs
   c. Member Ray Tretheway
      1. Agendize North Natomas Finance Plan soon
      2. Agendize Citywide Fire Master Plan soon

2. **Board and Commission Appointments**
   None

Adjourned-at 9:05 p.m. in memory of Will Craig.