



REPORT TO COUNCIL City of Sacramento

1

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

CONSENT
June 2, 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 May 19, 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: _____
Shirley Concolino, City Clerk

Table of Contents:

Minutes for May 19, 2009



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

DRAFT Minutes

Tuesday, May 19, 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.

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)

Live videostreams and indexed archives of meetings are available via the internet. Visit the City's official website at <http://www.cityofsacramento.org/clerk/council-DRAFT Minutes/>.

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, May 19, 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 6:02 p.m. Tuesday, May 19, 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 Sandy Sheedy.

Closed Session Report None.

Special Presentations/General Communications

a. Older Americans Month-Sacramento Senior Citizen Recognition

Action: Presented by Member Robbie Waters to Joe Montoya

**b. Recognizing 2009 Phone Book Recycling Contest Winner
Matsuyama Elementary School**

Action: Presented by Doug Houston

c. National Public Works Week

Action: Presented by Member Lauren Hammond to Jerry Way

d. Recognizing Teen Pregnancy Prevention Month

Action: Presented by Member Kevin McCarty to Rochelle Simintal

In addition to those items listed on the DRAFT Minutes, the Mayor may add additional ceremonial matters.

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

1. Mike Barnbaum-Upcoming events in District 3

Consent Calendar (Items 1 - 21) 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 May 5, 2009

Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for May 5, 2009.

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

2. Confirmation of Board and Commission Appointments

Location: (Citywide)

Action: Confirmed board/commission appointments to the: 1) Civil Service Board- Claudia Wrazel; 2) Animal Care Citizens Advisory Committee- Yvette Hernandez (Category A), Eugene Lukehart (Category B), and Kris L. Liang (Category C); 3) Sacramento Housing and Redevelopment Commission- Joshua Rosa (Category A); 4) Human Rights and Fair Housing Commission- Claudia Wrazel (Category A); 5) Small Business Development & Employment Board- Anita Johnson (Category B); 6) Sacramento Heritage Inc. Board of Directors-Marc De La Vergne (Category A-1) and Janice Calpo (Category A-3); and North Sacramento Redevelopment Advisory Committee- Elmer McCleary (Category B) and Erik Clark (Category B).

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

3. Policy on Distribution, Use and Reporting of Tickets and Passes

Location: (Citywide)

Action: Adopted **Resolution No. 2009-296** establishing a City policy on distribution, use and reporting of tickets and passes, pursuant to Fair Political Practices Commission (FFPC) Regulation 18944.1.

Contact: Eileen Teichert, City Attorney, (916) 808-5346, Richard Archibald, Assistant City Attorney, (916) 808-5346, Office of the City Attorney, Patti Bisharat, Governmental Affairs, (916) 808-9197, Office of the City Manager.

4. Agreement: Old Sacramento Tour Boat Interim Lease Agreement [2/3 Vote Required]

Location: Old Sacramento Historic District (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, Robbie Waters and Mayor Kevin Johnson

Removed from Consent Calendar for public comment heard from Gary Bradus and Ward Proesher. A motion **passed** to adopt **Resolution No. 2009-297** 1) suspending competitive bidding for a short-term tour boat concession agreement due to special circumstances that make the use of the bid procedure inappropriate; 2) approving and authorizing the City Manager or his designee to execute a short-term concession agreement with Hornblower Cruise and Events, Inc. ("Hornblower") for the operation of a tour boat concession from Old Sacramento; 3) suspending competitive bidding for a long-term tour boat concession agreement as in the best interests of the City; 4) authorizing the City Manager or his designee to enter into negotiations with Hornblower for a long-term agreement for the operation of a tour boat concession in Old Sacramento.

Contact: Natalie Birk, Old Sacramento Division Manager, (916) 808-8209, Liz Brenner, Administrative Officer, Old Sacramento Division, (916) 808-1406, Convention, Culture and Leisure Department.

5. Ordinance Amendment: Newsracks on the K Street Mall (Passed for Publication on 5-12-09, Published on 5-15-09)

Location: K Street from 7th to 13th (District 1)

Action: Adopted 1) **Ordinance No. 2009-027** repealing and reenacting Sacramento City Code Sections 12.44.290, 12.44.300, 12.44.310, 12.44.320 and enacting Sections 12.44.295 and 12.44.325 relating to newsracks on the K Street Mall; and 2)

Resolution No. 2009-316 approving guidelines related to newsracks on the K Street Mall.

Contact: Denise Malvetti, Senior Project Manager, (916) 808-7064 and Leslie Fritzsche, Downtown Development Manager, (916) 808-5450, Economic Development Department.

6. Supplemental Agreements: Implementation of Upgraded Software

Location: (Citywide)

Action: Adopted **Resolution No. 2009-298** 1) authorizing the Finance Director to transfer \$100,000 from the City Treasurer Investment Reserve project (D05000100) to the eCAPS capital project (A07000600) for an upgraded cashiering system; 2) suspending competitive bidding in the best interest of the City and authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement 1 to City Agreement No. 2005-0453 (Software License) with Active Network, Ltd, to add cashiering (Point of Sale) in an amount not to exceed \$96,000; 3) authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement 1 to 2005-0453-A (Support/Maintenance) with Active Network, Ltd, to increase the annual support/maintenance fees of \$22,839.47 by \$24,000, for a total amount not to exceed

\$46,839.47, annually subject to a maximum 5% increase per year; 4) authorizing the City Manager or the City Manager's designee to execute a Professional Services Agreement with Active Network, Ltd, to assist City staff with the implementation of the upgraded software in an amount not to exceed \$80,800; and 5) ratifying the expenditure of \$30,000 for additional software products purchased by purchase order in 2006 subsequent to the execution of City Agreement No. 2005-0453 (Software License), increasing the contract amount from \$54,575 to \$84,575.

Contact: Brad Wasson, Revenue Manager, 808-5844, Finance Department.

7. Agreement: Intermodal Depot Retrofit Project (T15029003)

Location: 401 I Street (District 1)

Action: Adopted Resolution No. 2009-299 authorizing the City Manager or the City Manager's designee to execute a professional services agreement for design and construction administration services for the project with Simpson, Gumpertz & Heger in an amount not to exceed \$1,649,000.

Contact: Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

8. Contract: Purchase of Library Dispensing Equipment - George Sim Community Center Expansion Project (L13000202)

Location: 6207 Logan Street (District 6)

Action: Adopted Resolution No. 2009-300 1) awarding a contract for the purchase of library dispensing equipment to Califa Group, the lowest responsive and responsible bidder, in an amount not to exceed \$139,158 for the project; and 2) authorizing the City Manager or the City Manager's designee to execute the contract.

Contact: Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

9. Capital Improvement Program (CIP): Southside Park Picnic Area Renovation Project (L19162104)

Location: 2115 6th Street (District 4)

Action: Adopted Resolution No. 2009-301 1) establishing a new CIP (L19162104) for the project; and 2) appropriating \$142,985 grant match from Park Development Impact Fees, Fund 3204 to the project.

Contact: Denise Curl, Administrative Analyst, (916) 808-6204, Lori Harder, Administrative Services Manager, (916) 808-5172, Parks and Recreation Department.

10. Agreements: On-Call Biological Consultant Services List for Park Planning and Development Services

Location: (Citywide)

Continued to June 16, 2009 to adopt a Resolution 1) approving the On-Call Biological Consultant Services List for Park Planning and Development Services for professional biological consulting services for a period of one fiscal year (FY2009/10); 2) authorizing the City Manager or his designee to renew the list for up to two additional fiscal years; 3) authorizing the City Manager or his designee to execute one-year

professional service agreements with options to renew for up to two additional one-year terms with a) Analytical Environmental Services; b) North State Resources; c) Michael Brandman Associates; and d) Foothill Associates in a cumulative amount not to exceed \$35,000 per consultant, per fiscal year; and, 4) authorizing the City Manager or his designee to execute all documents necessary to renew the professional services agreements for up to two additional one-year terms.

Contact: Dana Allen, Senior Planner, (916) 808-2762, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.

11. Agreement: Triple R Adult Day Program

Location: Midtown – Ethel MacLeod Hart Senior (District 3), Greenhaven – Asian Community Center (District 7), North Sacramento-Woodlake Elementary School, (District 2)

Action: Adopted **Resolution No. 2009-303** authorizing the City Manager, or a designated representative, to execute an agreement, including any extensions, amendments, or other related documents with Del Oro Caregiver Resource Center to subsidize costs for participants in the program.

Contact: Sylvia Fort, Recreation Manager, (916) 808-8381, Rosanne Bernardy, Recreation Superintendent, (916) 808-1590, Parks and Recreation Department.

12. Greater Broadway Property and Business Improvement District – Annual Proceedings FY2009/10

Location: Broadway between 3rd Ave and Franklin Boulevard (Districts 4 and 5)

Action: Adopted **Resolution No. 2009-304** adopting the Greater Broadway PBID Annual Budget, and Levying Assessment.

Contact: Sini Makasini, Administrative Analyst, (916) 808-7967, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

13. River District Property and Business Improvement District – Annual Proceedings FY2009/10

Location: Richards Boulevard Redevelopment Area and is comprised of approximately 830 acres and includes 514 individual parcels of land (District 1)

Action: Adopted **Resolution No. 2009-305** adopting the River District PBID Annual Budget and Levying Assessment.

Contact: Sini Makasini, Administrative Analyst, (916) 808-7967; Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

14. Agreement: Sacramento Regional Terrorism Threat Assessment Center (RTTAC)

Location: (Citywide)

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

Removed from Consent Calendar for public comment heard from Debra Reiger. A motion **passed** to adopt **Resolution No. 2009-306** authorizing the City Manager, or his designee, to execute, on behalf of the City of Sacramento, a three-year Professional Services Agreement with the Sacramento Sheriff's Department to fund personnel assigned to the Sacramento RTTAC in an amount not to exceed \$809,000 over the term of the agreement.

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

15. Contract: 2009 City Street Overlay Project (R15072014)

Location: Various Streets (Districts 3,5,7)

Action: Adopted **Resolution No. 2009-307** 1) approving plans and specifications; 2) awarding the construction contract to Granite Construction Company to perform an annual preventative maintenance program that extends the life of City streets and reduces the need for costly road reconstruction projects for an amount not to exceed \$1,443,438; and 3) authorizing the City Manager to execute the contract.

Contact: Zuhair Amawi, Associate Civil Engineer, (916) 808-7620, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.

16. Supplemental Agreement: State Transportation Advocacy Services

Location: (Citywide)

Action: Adopted **Resolution No. 2009-308** 1) approving Supplemental Agreement No. 4 to City Agreement 2007-0805 with Gonzalez Public Affairs to continue to provide lobbying services to the City for an amount not to exceed \$60,000; and 2) authorizing the City Manager to execute the Supplemental Agreement.

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

17. El Monte Neighborhood Traffic Management Program Project (S15071128)

Location: Generally bound by Arden Way on the north, Edgewater Road on the east, Del Paso Boulevard on the south and Acoma Street on the west (District 2)

Action: Adopted **Resolution No. 2009-309** approving the El Monte Neighborhood Traffic Management Plan (NTMP) Project - Phase 1 Traffic Calming Plan (S15071128) and transfer of funds.

Contact: Debb Newton, Program Analyst, (916) 808-6739, Angie Louie, Senior Engineer, (916) 808-7921, Transportation Department.

18. Agreement: State Trade Corridor Improvement Funds (T15029005)

Location: Downtown Railyards, Central City (District 1)

Action: Adopted **Resolution No. 2009-310** authorizing the City Manager to execute a revised agreement with the California Transportation Commission and California Department of Transportation that incorporates additional funding received.

Contact: Hinda Chandler, Senior Architect, (916) 808-8422, Fran Halbakken, Operations Manager, (916) 808-7194, Transportation Department.

19. **Annexing Portions of 6th, 7th, and R Streets into the Southside Park Residential Permit Parking Area**
Location: Portions of 6th, 7th, and R Streets (District 1)
Action: Adopted Resolution No. 2009-311 annexing portions of 6th, 7th, and R Streets into the Southside Park Residential Permit Parking Area (H) and regulate with "Two Hour Parking, Except with Permit."
Contact: Dean Fujimoto, Operations General Supervisor, (916) 808-5579, Transportation Department.
20. **Annexing a Portion of Carlson Drive into the Campus Commons Residential Permit Parking Area (J)**
Location: Carlson Drive, from McAdoo Avenue to Messina Drive (District 3)
Action: Adopted Resolution No. 2009-312 annexing Carlson Drive, both sides, from McAdoo Avenue to Messina Drive, into the Campus Commons Residential Permit Parking Area (J) and regulate with "One Hour Parking, Except with Permit."
Contact: Dean Fujimoto, Operations General Supervisor, 808-5579, Transportation Department.
21. **Contract: Green Waste Processing Services**
Location: (Citywide)
Action: Adopted Resolution No. 2009-313 1) awarding a contract for green waste processing services through June 30, 2010 with four one-year renewal options a) to Allied Waste at \$30 per ton; b) to Grover Landscaping Services at \$35.16-\$41.09 per ton; and c) to Northern Recycling at \$44.25 per ton; and 2) authorizing the City Manager or designee to execute contracts and renewal options under the same terms and conditions as the initial contract term for each renewal year. The total amount for all three contracts will not exceed \$1,400,000 per year.
Contact: Marty Strauss, Integrated Waste Planning Superintendent, (916) 808-4934, Edison Hicks, Integrated Waste General Manager, (916) 808-4949, Utilities Department.

Public Hearings (Items 22 and 23)

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

22. **Estimated Time: 30 minutes**
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) (Noticed on 4-29-09, Passed for Publication on 5-5-09, Published on 5-9-09, Continued from 5-12-09)
Location: (Districts 1, 3, and 4)
Action: Moved/Seconded: Member Steve Cohn/Member Ray Tretheway
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 Paul Schmidt, Phyllis Newton, and Bruce Monighan; and upon conclusion a motion **passed** to adopt 1) **Resolution No. 2009-314** determining the Central City Urban Design Guidelines and Implementing Ordinances are Exempt from Review under the California Environmental Quality Act; 2) **Ordinance No. 2009-028** amending 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; 3) **Ordinance No. 2009-029** establishing the Central Core Design Review District and Amending the Boundaries of the Central City Design Review District; and 4) **Resolution No. 2009-315** adopting the Central City Urban Design Guidelines for the Central City and Central Core Design Review Districts.

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.

23. **Estimated Time: 1 hour**
Fiscal Year (FY) 2009-10 Proposed Operating Budget Overview (No additional noticing required)
Location: (Citywide)

Action: Moved/Seconded: Member Ray Tretheway/Member Kevin McCarty

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

No: Member Sandy Sheedy

Conducted a public hearing with heard from Craig Powell, Tracy Ortiz, Sister Jeanne Felion, Julie Rhoten, achiko Konatsu, Bryan Merica, and Greg Hatfield; and upon conclusion, a motion **passed** to adopt an intent motion providing direction for final adoption of the FY2009/10 Proposed Operating Budget and on June 16, 2009.

Contact: Leyne Milstein, Finance Director, (916) 808-8491, Finance Department.

Supplemental Consent Calendar

24. **Estimated Time: 0 minutes**
American Reinvestment and Recovery Act (ARRA) of 2009 EPA Brownfield Funding for the Curtis Park Village 1C TOD Housing and Infill Grant Application [To be Delivered]

Location: District 5

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 **Resolution No. 2009-317 as amended** approving a preliminary \$1,817,000 Brownfield Revolving Loan Fund (BRLF) loan to Calvine Elk Grove-Florin, LLC for the Curtis Park Village Project contingent upon the City receiving such amount from future awards of U.S. Environmental Protection Agency (EPA) American Reinvestment and Recovery Act (ARRA) of 2009 Funding for the BRLF program.

Contact: Rachel Hazlewood, Senior Project Manager, (916) 808-8645; Jim Rinehart, Economic Development Manager, (916) 808-5054.

25. Estimated Time: 0 minutes

Declaring the City of Sacramento in Severe Fiscal Hardship [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** to adopt **Resolution No. 2009-318** finding a severe fiscal hardship will exist if additional city property tax funds are seized and additional unfunded mandates are adopted by the State of California.

Contact: Ray Kerridge, City Manager (916) 808-5704, Office of the City Manager; Leyne Milstein, Director, (916) 808-5845 Finance.

Supplemental Staff Report

26. Estimated Time: 30 minutes

Report Back: Creation of Office of the City Auditor [To be Delivered]

Location: Citywide

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

No: Mayor Kevin Johnson

A motion **passed** directing the City Attorney to return with a proposed Ordinance creating the Council appointed Office of the City Auditor and 1) approved bringing the Ordinance directly to Council bypassing Law & Legislation Committee review; 2) requested suggestions for mechanics and timelines regarding the hiring process; and 3) requested a Resolution creating a Standing Audit Committee.

Contact: Eileen Teichert, City Attorney and Matt Ruyak, Supervising Deputy Attorney, (916) 808-5346, Office of the City Attorney.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Robbie Waters: Retrieval of waste cans from foreclosed properties

Adjourned- at 9:15 p.m. in memory of Wayman Tisdale.

