



REPORT TO COUNCIL

City of Sacramento

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

CONSENT
 July 28, 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 June 16 and July 14, 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
 Shirley Concolino, City Clerk

Table of Contents:

Minutes for July 14, 2009

DRAFT Minutes

Tuesday, July 14, 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 - Regular session called to order by Mayor Kevin Johnson at 6:00 p.m. Tuesday, July 14, 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 Lauren Hammond.

Closed Session Report – None.

Special Presentations/General Communications

a. **Aquatic Safety Week**

Action: Presented to Ceasar Nelson by Member Lauren Hammond

b. **Youth of the Month**

Action: Presented by Member Ray Tretheway to William Berry

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

1. Harold Duffey- Waste Removal Contract with Yolo County
2. James Letoa-Sandy Sheedy Staff
3. Safeground for the Homeless
 - a. John Krantz
 - b. Tracie Riu Bailey
 - c. Gabriel Evans
 - d. James Gilland
 - e. Hassan Saleem
 - f. Shellam Enlon
 - g. Carmen Bray
 - h. Jason Carlson
 - i. Steve Lofton
 - j. Eric Cowboy
 - k. Steve Byrne
 - l. James Edwards III
 - m. Rev Chelsea Harlan
 - n. Sam Wolf

Consent Calendar (Items 1 - 26) Estimated Time: 5 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 June 16 and June 23, 2009

Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for June 16 and June 23, 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: (Districts 5 and 6)

Action: Opened an application period for the: 1) Sacramento Army Depot Redevelopment Advisory Committee to open 07/15/09 with applications due 08/14/09 and 2) Stockton Boulevard Redevelopment Advisory Committee to open 07/15/09 with applications due 08/14/09.

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

3. Confirmation of Board and Commission Appointments

Location: (Citywide)

Action: Confirmed board/commission appointments to the: 1) Sacramento Youth Commission – Jamee Hawthorne (Category A-7), Chloe Paneda – (Category B-2); 2) Transportation Programming Guide Citizens Advisory Committee – Terry Preston (Category D).

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

4. (City Council/Redevelopment Agency) Business Terms for Gap Financing of "Station 65" Project, 65th Street and Folsom Boulevard

Location: 65th Street and Folsom Boulevard, 65th Street Redevelopment Project Area (District 3)

Action: 1) Adopted **City Resolution No. 2009-447** a) authorizing the Sacramento Housing and Redevelopment Agency ("Agency") to rebate City Housing Trust Fund ("HTF") fees generated by projects that comprise the proposed "Station 65" mixed-use transit-oriented development ("Station 65") as gap financing for the rental residential project at Station 65 ("Residential Project") and allocating Station 65 HTF fees for this purpose; and 2) adopted **Redevelopment Agency Resolution No. 2009-042** approving non-binding business terms of future gap financing agreement(s) to allow

use of City-allocated HTF fees and use of net Tax Increment ("Net TI") funds and net Low/Moderate Income Housing Set-aside ("Low/Mod Housing") funds received by the Agency as a result of Station 65 construction to support the Residential Project, a parking structure ("Parking Project") and/or eligible off-site improvements ("Off-sites Project") at the Station 65 site.

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. Sacramento Housing and Redevelopment Agency Comprehensive Annual Financial Report (CAFR) for the Year Ended December 31, 2008

Location: (Citywide)

Action: Received and filed.

Contact: Donald Cavier, Director of Finance, (916) 440-1399 ext. 1220, Karen Lukes, Interim Finance Manager, (916) 440-1399 ext. 1403, Sacramento Housing and Redevelopment Agency.

6. (Pass for Publication) Ordinance Adding Chapter 5.152 Relating to Unattended Donation Boxes

Location: (Citywide)

Action: 1) Reviewed an Ordinance adding Chapter 5.152 to the Sacramento City relating to unattended donation boxes; 2) passed for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted on July 21, 2009.

Contact: Brad Wasson, Revenue Manager, (916) 808-5844, Finance Department, Bob Rose, Code Enforcement Manager, (916) 808-5947, Code Enforcement Department.

7. Agreement: Disadvantaged Business Enterprise (DBE) Program Goals

Location: (Citywide)

Action: Adopted **Resolution No. 2009-448-1**) approving the DBE Program Goals for the Federal Fiscal Year 2009-2010 of a 23.8% overall goal based on 6.6% Race-Neutral and 17.2% Race-Conscious goals for federally funded transportation projects; and 2) authorizing the City Manager to execute the DBE Program Implementation Agreement.

Contact: Charlotte A. Broussard, DBE Liaison Officer, (916) 808-8174, James R. Rinehart, Citywide Division Manager, (916) 808-5054, Economic Development Department.

8. Ballot Results: Oak Park Property and Business Improvement District (PBID) - #2009-01

Location: Oak Park Commercial Corridor (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, and Robbie Waters

Abstain: Mayor Kevin Johnson

1) Received a report on the tabulation of assessment ballots submitted and not withdrawn before the public hearing closed on June 23, 2009; and 2) based on the results of the tabulation, adopted a) **Resolution No. 2009-449** declaring the results of the majority-protest proceedings and renewing the Oak Park PBID No. 2009-01; b) **Resolution No. 2009-450** approving the annual Oak Park PBID budget and levying assessment; and c) **Resolution No. 2009-451** amending the proposed FY2009/10 City Budget for the Oak Park PBID.

Contact: Jodie Vong, Administrative Analyst, (916) 808-824, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

9. Land Acquisition Program Credits

Location: North Natomas (District 1)

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

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

Abstain: Member Sandy Sheedy

Approved reimbursement to K. Hovnanian Forecast Homes Northern using the 2008 Public Land Acquisition Value.

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

10. Grant/Agreement: California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team's North Dakota Flood Deployment (G12701800)

Location: (Citywide)

Action: Adopted **Resolution No. 2009-452** 1) authorizing the City Manager, or his designee, to execute the agreement (EMW-2008-CA-1498, Amendment M004) accepting federal funding in the amount of \$56,000; 2) establishing an operating grant; and 3) establishing an \$56,000 revenue and expenditure budget for the CA TF-7 US&R North Dakota Flood Deployment.

Contact: Ed Vasques, Assistant Chief, (916) 264-7522, Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department.

11. Grant/Agreement: Participation in California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team

Location: (Citywide)

Action: Adopted **Resolution No. 2009-453** authorizing the City Manager, or his designee, to enter into a Memorandum of Agreement (MOA), as the sponsoring agency of a Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA) US&R, CA TF-7, with Kaiser Permanente for training and potential deployment to disasters per FEMA instruction.

Contact: Ed Vasques, Assistant Chief, (916) 264-7522; Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department.

- 12. Ordinance Amendment: Disposition of Weapons, Badges, and Canines** (Passed for Publication on 6-23-09, Published on 6-26-09)
Location: (Citywide)
Action: Adopted **Ordinance No. 2009-032** adding Chapter 3.82 to the Sacramento City Code relating to disposition of weapons, badges and canines.
Contact: Chris Stewart, Procurement Services Manager, (916) 808-6202, Sara Kashing, Administrative Officer, (916) 808-0826, General Services Department.
- 13. Cooperative Purchase Agreement: Heavy Duty Fleet Tires**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-454** 1) approving the use of County of Sacramento contract (WA00024636) with Morgan Tire Company of Sacramento for the purchase of heavy duty tires in an amount not to exceed \$2,045,000 through April 28, 2012 or until the contract is no longer available for use; and 2) authorizing the City Manager or the City Manager's designee to execute purchase orders provided that sufficient funds are available in the budget adopted for the applicable fiscal years.
Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department.
- 14. Contract: Fleet Telemetrics and Related Services [2/3 Vote Required]**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-455** 1) suspending competitive bidding as in the best interests of the City; 2) awarding a five-year contract to Zonar Systems for the purchase of fleet telemetrics equipment and related services in an amount not to exceed \$2.6 million for the five year period; and 3) authorizing the City Manager or the City Manager's designee to execute the contract specified above and make related expenditures provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).
Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department.
- 15. Agreement: Staffing and Camp Management Services**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-456** 1) authorizing the City Manager to execute an agreement and any amendments thereto with the Contra Costa Youth Council (CCYC) for the city to provide staffing and camp management services at the CCYC's wilderness camp at Camp Nejedly during the summer of 2009.
Contact: Alan Tomiyama, Division Manager, (916) 808-8958, Susan Vieth, Superintendent, (916) 808-1575, Parks and Recreation Department.
- 16. Contract/Parks and Recreation Safety Implementation Plan: Strawberry Manor Park Renovation Project (L19808300)**
Location: 200 Danville Way (District 2)
Action: Adopted **Resolution No. 2009-457** 1) approving the contract specifications and awarding the contract to JM Slover, Inc. to perform the improvements to the park for an amount not to exceed \$521,599; and 2) authorizing the City Manager to execute the contract for the project.

Contact: Dennis Day, Associate Landscape Architect, (916) 808-7633, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.

17. Grant/Agreement: Driving Under the Influence (DUI) Enforcement Program
Location: (Citywide)

Action: Adopted **Resolution No. 2009-458** authorizing the City Manager, or designee 1) to accept, on behalf of the City of Sacramento, \$670,500 in grant funding from the California Office of Traffic Safety (OTS); 2) to establish a grant project for the OTS grant; 3) to adjust the necessary grant and operating budgets in an amount not to exceed \$670,500; 4) to increase the Sacramento Police Department's Metro Traffic/Air Operations sworn staffing by four Full Time Equivalent (FTE)(three officers and one sergeant); and 5) to enter into MOUs or agreements with program partners, as needed, to implement the grant-funded DUI Enforcement and Traffic Safety Program.

Contact: Gina Haynes, Lieutenant, (916) 808-0714, Police Department.

18. Grant: Acceptance of U.S. Department of Homeland Security Funding
Location: Sacramento Regional Urban Area

Action: Adopted **Resolution No. 2009-459** authorizing the City Manager, or designee 1) to accept \$3,150,680 in Homeland Security grant funding from the California Emergency Management Agency; 2) to establish a grant project for the grant; 3) to increase the Police Department's Grant Operating and Grant Revenue budgets by \$3,150,680 and 4) to enter into agreements or memorandums of understanding, as necessary, to implement the Sacramento Regional UASI Program.

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

19. Grant/Contract: Acceptance of California Emergency Management Services' Project Safe Neighborhood/Anti-Gang Initiative Program Grant [2/3 Vote Required]

Location: (Citywide)

Action: Adopted **Resolution No. 2009-460** authorizing the City Manager, or designee 1) to accept \$120,731 in federal grant funding through the program; 2) to establish a new grant project for the \$120,731 grant from the program; 3) to adjust the necessary grant revenue and expenditure budgets to implement the \$120,731 grant from the program; 4) to suspend competitive bidding in the best interests of the City for the purchase of the Integrated Ballistics Identification System (IBIS) BRASSTRAX-3D ballistics analysis system; and 5) to award a contract for the purchase of the IBIS BRASSTRAX-3D ballistics analysis system to Forensic Technology in an amount not to exceed \$141, 857.

Contact: David Johnson, Lieutenant (916) 808-0652, Police Department.

- 20. Tower Bridge Pedestrian/Bicycle Improvements Project (K15990000)**
Location: Tower Bridge – Capitol Mall (State Route 275) at Sacramento River (District 1)
Action: Adopted **Resolution No. 2009-461** transferring \$140,000 from the Public Right-of-Way Accessibility Program (T15075900) (Fund 2001) to the project.
Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.
- 21. Contract: Alleyway and Overpass Streetscape Maintenance Services**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-462** 1) awarding a one-year contract, with up to two one-year renewal options, for the purchase of streetscape maintenance services to Valley Landscape in the total amount not to exceed \$123,090, and 2) authorizing the City Manager to execute the contract.
Contact: Erick Talavera, Program Specialist, (916) 808-2272, Juan Montanez, Street Services Manager, (916) 808-2254, Transportation Department.
- 22. Contract: Northborough Streetscape Maintenance Services**
Location: (District 1)
Action: Adopted **Resolution No. 2009-463** 1) awarding the remainder of a one-year contract, with up to two one-year renewal options, for the purchase of streetscape maintenance services to Valley Landscape in the total amount not to exceed \$120,800, and 2) authorizing the City Manager to execute the contract and renewal options.
Contact: Erick Talavera, Program Specialist, (916) 808-2272, Juan Montanez, Street Services Manager, (916) 808-2254, Transportation Department.
- 23. Contract: Mid-Central Streetscape Maintenance Services**
Location: (Districts 4, 5, and 6)
Action: Adopted **Resolution No. 2009-464** 1) awarding a one-year contract, with up to two one-year renewal options, for the purchase of streetscape maintenance services to Dominguez Landscape in the total amount not to exceed \$135,000, and 2) authorizing the City Manager to execute the contract.
Contact: Erick Talavera, Program Specialist, (916) 808-2272, Juan Montanez, Street Services Manager, (916) 808-2254, Transportation Department.
- 24. Line of Credit for Equipment Acquisitions**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-465** approving a \$10-million line of credit with Bank of America NA to finance the acquisition of equipment.
Contact: Chris Tjie, Treasury Analyst, 808-5517, Janelle Gray, Treasury Manager, 808-8296, Office of the City Treasurer.

25. Agreement: Landfill General Engineering Technical Support Services (14001171)
Location: (District 3)

Action: Adopted **Resolution No. 2009-466** authorizing the City Manager to approve a professional services agreement with SCS Engineers, to provide general engineering technical support services for the 28th Street Landfill, Dellar Landfill, and Old Elvas Landfill in an amount not to exceed \$233,500 for the two year period.

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

26. Contracts: Water Meter Reading Automation [2/3 Vote Required]
Location: (Citywide)

Action: **Continued to July 21, 2009** to adopt a **Resolution** 1) authorizing the City Manager to sign a Professional Services Agreement with a) Ferguson Waterworks for software installation and training services, for a one year term in a total amount not to exceed \$35,000, b) Datamatic, LTD for web hosting services, for a two year term in a total amount not to exceed \$30,000, and c) a Software License and Maintenance Agreement with Datamatic, LTD, for a five year term in a total amount not to exceed \$96,000; 2) suspending competitive bidding, in the best interests of the City, for the purchase of the hardware and equipment for the Water Meter Reading Automation System; and 3) awarding a purchase contract for such hardware and equipment to Ferguson Waterworks, for a five year term in a total amount not to exceed \$6,519,000.

Contact: Michael Malone, Field Services Manager, (916) 808-6226, Thanh Vo, System Support Manager, (916) 808-7988; Elsie Fong, Program Specialist, (916) 808-40, Utilities Department.

Public Hearings (Item 27)

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

27. Estimated Time: 15 minutes
Neighborhood Stabilization Program Funding (Noticed on 6-24-09)
Location: (Citywide)

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

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

Absent: Members Steve Cohn and Lauren Hammond

After no public comment a **motion passed** to close the public hearing and adopt **City Resolution No. 2009-468** 1) authorizing the City to enter into a consortium agreement with the County of Sacramento and the cities of Citrus Heights and Rancho Cordova for application for and implementation of Neighborhood Stabilization Funds under the American Recovery and Reinvestment Act of 2009 (ARRA); 2) authorizing the submission on behalf of the Consortium, the ARRA Neighborhood Stabilization Program (NSP-2) application for up to \$36,811,500 to the U.S. Department of Housing and Urban Development (HUD) in substantial conformance with the Implementing Guidelines; 3) accepting the environmental findings; and 4) authorizing the City Manager and the SHRA Executive Director to execute agreements and contracts with the appropriate entities including the Consortium, for the purposes of preparing and submitting the NSP-2 funding application to HUD.

Contact: Chris Pahule, Assistant Director, Housing and Community Development, (916) 440-1350; Emily Halcon, Management Analyst, Housing and Community Development, (916) 440-1399, ext. 1420, Sacramento Housing and Redevelopment Agency.

Discussion Calendar/Staff Reports (Items 28 - 30)

28. Estimated Time: 15 minutes

Agreement: Tour Boat Concession

Location: Old Sacramento Historic District (District 1)

Action: Moved/Seconded: Member Ray Tretheway/Member Robert King Fong

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

Public comment heard from Ward Proescher, Geoff Wong, Agustin Ramirez, Charlie Coyne, Lina Fat, Terry Harvego, Bill Diaz, Kathy Daigle, Paul Hammond, Steve Hammond, Michael Ault, Lloyd Harvego, and Barbara Stannius; a motion **passed** to adopt **Resolution No. 2009-469** approving and authorizing the City Manager to enter into an agreement with Hornblower Cruise and Events, Inc. (Hornblower) for the operation of a tour boat concession in Old Sacramento.

Contact: Natalie Birk, Historic District Manager, (916) 808-8209, Liz Brenner, Administrative Officer, (916) 808-1406, Barbara E. Bonebrake, Director, (916) 808-8225, Convention, Culture and Leisure Department.

29. Estimated Time: 30 minutes

Emergency Ordinance: Imposing a Moratorium on the Establishment and Operation of Marijuana Dispensaries [4/5 Vote Required] To Be Delivered]

Location: (Citywide)

Action: Moved/Seconded: Member Sandy Sheedy/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.

Public comment heard from Keith Kimber, Rich Guitron, Dan Senna, Joel Marsall, Anthony Vasquez, Lanette Davies, James Anthony, Ryan Landers, Peter Keyes, Jesse Paquin, Bryan Davies, and Rena Davonne Lowry; a motion **passed** to adopt **Emergency Ordinance No. 2009-033** as amended establishing a moratorium to prohibit new medical marijuana dispensaries in the City of Sacramento and prohibiting existing dispensaries from modifying or expanding their operations.

Contact: Michelle Heppner, Special Projects Manager, (916) 808-1226, Office of the City Manager.

30. Estimated Time: 30 minutes

Report Back: Citywide Financial and Operational Review

Location: (Citywide)

Action: Provided direction to staff to return as soon as possible with more data for discussion regarding a Request for Proposal (RFP) for professional consulting services to conduct a citywide financial and operational review.

Contact: Marty Hanneman, Assistant City Manager, (916) 808-7508, Office of the City Manager.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

None

2. Board and Commission Appointments

None

Adjourned at 10:00 p.m. in memory of Richard Archibald- City of Sacramento Assistant Attorney