



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

Agenda

Tuesday, August 25, 2009

City Hall-915 I Street, 1st Floor Council Chamber

Published by the Office of the City Clerk (916) 808-7200

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Robert King Fong, District 4
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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 recommendations; 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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AGENDA

Tuesday, August 25, 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

Pledge of Allegiance

Closed Session Report

Special Presentations/General Communications

- a. **Youth of the Month**
- b. **Acknowledging The radKIDS: Personal Empowerment Safety Education Program**

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

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

Consent Calendar (Items 1 - 12) Estimated Time: 5 minutes

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request an item be removed for separate consideration.

1. **(City Council/Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for August 11, 2009.**
Location: (Citywide)
Recommendation: Approve the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for August 11, 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: (Citywide)
Recommendation: Open an application period for: 1) Animal Care Services Citizens Advisory Committee to open 08/26/09 with applications due 09/25/09 and 2) Sacramento Metropolitan Arts Commission to open 08/26/09 with applications due 09/25/09.

Consent Calendar (Continued)

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) Changes to the Noise Variance Procedures (M09-027)**
Location:

Recommendation: 1) Review a) a Resolution determining the project is exempt from environmental review; b) an Ordinance amending Section 8.68.260 of the City Code relating to noise variances; and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted September 8, 2009.

Contact: Sandra Yope, Senior Planner, (916) 808-7158; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department.

4. **Curtis Park Village Project**

Location: (District 5)

Recommendation: Adopt a **Resolution** approving a \$900,000 Brownfield Revolving Loan Fund (BRLF) loan to Calvine Elk Grove-Florin, LLC for environmental clean-up at the Curtis Park Village Project.

Contact: Diana Sasser, Project Manager, (916) 808-5519; James Rinehart, Economic Development Manager, (916) 808-5054, Economic Development Department.

5. **Contract: Valley Hi Park Improvements (L19171000)**

Location: 8185 Center Parkway (District 7)

Recommendation: Adopt a **Resolution:** 1) approving the contract specifications for Valley Hi Park and awarding the contract to Parker Landscape Development, Inc. for an amount not to exceed \$298,427; and 2) authorizing the City Manager to execute the contract with Parker Landscape Development, Inc. for an amount not to exceed \$298,427 for the project.

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

6. **Grant: Recovery Act-Edward Byrne Memorial Justice Assistance Program**

Location: (Citywide)

Recommendation: Adopt a **Resolution** 1) authorizing the City Manager, or designee, to accept \$2,527,660 of federal grant funding through the *Recovery Act*: Edward Byrne Memorial Justice Assistance Grant Formula Program: Local Solicitation administered through the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance; 2) authorizing the City Manager or designee to establish a grant project for the Edward Byrne Memorial Assistance Grant Formula Program and 3) authorizing the City Manager, or designee, to adjust the necessary grant revenue and expenditure budgets to implement the \$2,527,660 grant.

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

Consent Calendar (Continued)

7. **FY2009 COPS Hiring Recovery Program Grant Award Acceptance**

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the City Manager, or his designee to 1) accept, on behalf of the City of Sacramento, federal grant funding of \$9,554,860 through the Community Oriented Policing Services (COPS) Hiring Recovery Program grant administered through the U.S. Department of Justice, Office of Community Oriented Policing Services; 2) establish a grant project for the COPS Hiring Recovery Program; 3) adjust the Police Department's Grant Expenditure and Grant Revenue budgets by \$9,554,860; 4) restore funding to thirty-five (35.0) Full Time Equivalent (FTE) positions in the Sacramento Police Department that were previously unfunded.

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

8. **2009 Sacramento Area Council of Government (SACOG) Community Design Grant Applications**

Location: Del Paso Boulevard Streetscape Project (District 2); Railyards West End Tunnel Project (District 1); Docks Promenade Phase II Project (District 4)

Recommendation: Adopt a **Resolution** directing staff to submit applications to SACOG's Community Design Grant Program for three projects.

Contact: Ryan Moore, Supervising Engineer (916) 808-8279; Lucinda Willcox, Program Manager (916) 808-5052, Transportation Department.

9. **Contract: 2009 Federal Street Overlay Project Phase I (R15072016)**

Location: (District 1, 2, 5, 7, 8)

Recommendation: Adopt a **Resolution:** 1) approving Program Supplement No. N121 for the 2009 Federal Street Overlay Project Phase I (R15072016); 2) amending the FY08/09 Capital Improvement Program revenue and expenditure budgets by appropriating \$5,746,013 (Fund 3703) for the construction of Phase I and Phase II; 3) approving striping plans and specifications; 4) awarding the construction contract to Granite Construction Company for an amount not to exceed \$4,808,963 and 5) 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.

Consent Calendar (Continued)

10. Contract: 2009 Federal Street Overlay Project Phase II (R15072018)

Location: (District 2, 3, 4, 6)

Recommendation: Adopt a **Resolution:** 1) approving Program Supplement No. N122 for the 2009 Federal Street Overlay Project Phase II (R15072018); 2) amending the FY08/09 Capital Improvement Program revenue and expenditure budgets by appropriating \$2,310,610 (Fund 3703) to the project for construction; 3) approving the transfer of \$501,000 (Fund 2028) from the Overlays and Seals Program (R15072000) to the 2009 Federal Street Overlay Project Phase II (R15072018); 4) approving striping plans and specifications; 5) awarding the construction contract to Teichert Construction Company for an amount not to exceed \$2,894,661; and 6) 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.

11. Curtis Park Village Combined Sewer Regional Storage Project (X14010001)

Location: (District 5)

Recommendation: Adopt a **Resolution** adopting the Mitigated Negative Declaration and Mitigation Monitoring Program for the Curtis Park Village Combined Sewer Regional Storage Project (the "Project"); and 2) Adopt a Resolution authorizing the City Manager to execute Supplemental Agreement No. 1 to City Agreement No. 2006-0001 with West Yost Associates to complete the final design and provide related services for the Project, increasing the contract not-to-exceed amount from \$144,959 to \$642,609.

Contact: David L. Brent, Engineering Services Manager, 808-1420; Rick Batha, Supervising Engineer, 808-1448, Utilities Department.

12. Sacramento's Homelessness and Rapid Re-Housing Program (HPRP) Update and Applications to State Department of Housing and Community Development

Location: (Citywide)

Recommendation: Adopt a **Resolution** authorizing the Sacramento Housing and Redevelopment Agency (SHRA) to 1) execute all required certifications, apply for, and accept the State of California Department of Housing and Community Development (HCD) HPRP funds in an amount not to exceed \$4.8 million; 2) sign Standard Agreements and any subsequent amendments; and 3) perform any and all responsibilities in relationship to the contract.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1319; Cindy Cavanaugh, Assistant Director, Sacramento Housing and Redevelopment Agency.

Public Hearings (Items 13 - 15)

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

13. Estimated Time: 15 minutes

Nomination of 4623 T St. (M09-011), 6125 Riverside Blvd. (M09-012), and 1210 H Street (M09-013) as Landmarks for listing in the Sacramento Register of Historic and Cultural Resources (Noticed on 8-7-09; Passed for Publication 8-11-09)
(Continued from 8-18-09)

Location: 4623 T Street, Assessor's Parcel Number 011-0043-002-0000, (District 6); 6125 Riverside Boulevard, Assessor's Parcel Number 029-0010-008-0000, (District 4); 1210 H Street, Assessor's Parcel Number 006-0051-003-0000, (District 3).

Recommendation: Conduct a public hearing and upon conclusion adopt an **Ordinance** placing the properties located at 4623 T St., 6125 Riverside Blvd., and 1210 H Street in the Sacramento Register of Historic and Cultural Resources (Register) as Landmarks.

Contact: Roberta Deering, Senior Planner for Historic Preservation, (916) 808-8259; William Crouch, Urban Design Manager, (916) 808-8013, Community Development Department.

14. Estimated Time: 20 minutes

City Reasonable Accommodation Ordinance (LR09-001) (Noticed on 8-14-09)
(Passed for Publication on 8-18-09; Published on 8-21-09)

Location: (Citywide)

Recommendation: Conduct a public hearing and upon conclusion adopt an **Ordinance** establishing a formal procedure for individuals with disabilities seeking access to housing to request reasonable accommodation in the application of the City's land use and zoning standards, regulations, policies, and procedures.

Contact: Greg Sandlund, Assistant Planner, (916) 808-8931; Jim McDonald AICP, Senior Planner, (916) 808-5723, Community Development Department.

15. Estimated Time: 5 minutes

Extension: Medical Marijuana Dispensaries Moratorium (Noticed on 8-14-09)
(4/5 Vote Required)

Location: (Citywide)

Recommendation: Conduct a public hearing and upon conclusion adopt an **Ordinance** to extend the 45-day moratorium on medical marijuana dispensaries in the City of Sacramento for an additional ten months and fifteen days ().

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

Discussion Calendar/Staff Reports (Items 16 - 22)

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

- 16. Estimated Time: 15 minutes**
Parks and Recreation Commission – Consideration of Applicants
Location: (Citywide)
Recommendation: Receive and comment.
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200; Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.
- 17. Estimated Time: 10 minutes**
Community Reinvestment Capital Improvement Program (CRCIP) and 2006 Capital Improvement Revenue Bonds (2006 CIRBs)
Location: (Citywide)
Recommendation: 1) Accept the CRCIP status report; 2) adopt a **Resolution** authorizing the City Manager to amend the FY2009/10 Approved Budget to include the addition of 11.5 full time equivalent (FTE) positions and the allocation of \$1.47 million in general funds from Non-Department to the Parks and Recreation, General Services, and Convention, Culture and Leisure Departments to address operations and maintenance of the newly constructed CRCIP facilities; and 3) direct the City Treasurer and City Manager to report back to Council in six months with the next status report including an update on interest earnings.
Contact: Gus Vina, Assistant City Manager, (916) 808-7138, Office of the City Manager; Russell Fehr, City Treasurer, (916) 808-5168, Office of the City Treasurer; Dawn Holm, Principal Management Analyst, (916) 808-5574, Finance Department.
- 18. Estimated Time: 15 minutes**
Exclusive Right to Negotiate – Digital Billboards (To Be Delivered)
Location: (Citywide)
Recommendation: Adopt a **Resolution:** 1) authorizing exclusive negotiations with Clear Channel Outdoor, Inc. for 120 days on terms of construction and operation of multiple digital billboards on City-owned sites and related removal of existing billboards; and 2) directing staff to return with proposed negotiated terms for the Council’s consideration and possible approval.
Contact: Tom Zeidner, Senior Development Project Manager, (916) 808-1931, Economic Development Department.
- 19. Estimated Time: 15 minutes**
Sacramento Charter Review Committee - Revised Scope and Timeline (To Be Delivered)
Location: (Citywide)
Recommendation: Review recommendations for the amendment of Resolution 2009-05, forming the 2009 Charter Review Committee, and after review adopt a **Resolution** amending Resolution 2009-095 to revise the scope of work and timelines of the Committee.

Discussion Calendar/Staff Reports (Continued)

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

20. **Estimated Time: 20 minutes**
Charter Review Committee Progress Report
Location: (Citywide)

Recommendation: Receive the August Charter Review Committee Progress Report as transmitted in accordance with Resolution 2009-095.

Contact: William H. Edgar, Chair, Charter Review Committee, (916) 392-4909.

21. **Estimated Time: 20 minutes**
Strong Mayor Initiative Legal Issues and Options (To Be Delivered)
Location: (Citywide)

Recommendation: Review Strong Mayor Initiative legal issues and options for correcting legal issues, and provide staff direction on option selected.

Contact: Eileen Teichert, City Attorney, (916) 808-5346, Office of the City Attorney.

22. **Estimated Time: 20 minutes**
Recommended Staffing Level and Budget for Proposed City Independent Budget Analyst (To Be Delivered)
Location: (Citywide)

Recommendation: A staffing level of three full-time positions would be adequate to perform the duties of the proposed City Independent Budget Analyst.

Contact: Russ Fehr, Treasurer, (916) 808-5832, Office of the City Treasurer.

Council Comments-Ideas, Questions and Meeting/Conference Reports

Adjournment