



REPORT TO COUNCIL

City of Sacramento

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

CONSENT
September 22, 2009

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

Title: Approval of Council Minutes for August 25, 2009 and September 8, 2009

Location/Council District: (Citywide)

Recommendation:

Approve the evening City Council, Financing Authority, Housing Authority and Redevelopment Agency for August 25, 2009 and September 8, 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 Bullwinkel
for Shirley Concolino, City Clerk

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Minutes for August 25, 2009 and September 8, 2009



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

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

DRAFT Minutes

Tuesday, August 25, 2009

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

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

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.

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DRAFT Minutes

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 - Regular session called to order by Mayor Kevin Johnson at 6:02 p.m. Tuesday, August 25, 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 – There are no reportable actions for the first and third closed sessions, as to do so may impair service of process.

On the second closed session item, by a vote of 8-0, with Member Lauren Hammond not present, the City Council authorized the filing of a lawsuit against Kevin Hoffman and Lisa Hoffman for ejection from City property.

Special Presentations/General Communications

a. Recognizing the Youth of the Month

Action: Presented by Member Sandy Sheedy to Imani Carino.

b. Acknowledging The radKIDS: Personal Empowerment Safety Education Program

Action: Presented by Member Lauren Hammond to Mindi Russell and Steve Daley, CEO of radKIDS.

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)

1. Marc Brandes-Commerce in Parks
2. Joan Bryant-Strong Mayor Initiative Vote
3. David Leeper Moss-Safe Ground
4. Tracie Bailey-Safe Ground
5. Daniel Costa-Violent Assault and Neighborhood Issues
6. Bill Grant-Various Issues

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

Action: Moved/Seconded: Member Robbie Waters/Member Robert King Fong

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

Absent: Member Steve Cohn

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 August 11, 2009.

Location: (Citywide)

Action: Approved 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)

Action: Opened 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.

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:

Action: 1) Reviewed a Resolution a) 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) passed 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)

Action: Adopted **Resolution No. 2009-547** 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)

Action: Adopted Resolution No. 2009-548 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)

Action: Adopted Resolution No. 2009-549 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.

7. FY2009 COPS Hiring Recovery Program Grant Award Acceptance

Location: (Citywide)

Action: Adopted Resolution No. 2009-550 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)

Action: Moved/Seconded: Member Robbie Waters/Member Robert King Fong

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

No: Member Steve Cohn

Removed from Consent Calendar for public comment heard from Brice Anderson, John Fierro, and Ned Allison; a motion **passed** directing staff to bring issue back as a workshop with recommendations on how to include "65th Street" into future grant awards; and adopted **Resolution No. 2009-551** 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)

Action: Adopted **Resolution No. 2009-552:** 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.

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

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

Action: Adopted **Resolution No. 2009-553:** 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)

Action: Adopted **Resolution No. 2009-554** adopting the Mitigated Negative Declaration and Mitigation Monitoring Program for the Curtis Park Village Combined Sewer Regional Storage Project (the "Project"); and 2) Adopted **Resolution No. 2009-555** 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)

Action: Moved/Seconded: Member Lauren Hammond/Member Steve Cohn

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 Lynnette Davis; a motion **passed** to adopt **Resolution No. 2009-556** 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).

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, Robbie Waters and Mayor Kevin Johnson.

Conducted a public hearing with public comment heard from Linda Whitney and William Burg; and upon conclusion a motion **passed** to adopt **Ordinance No. 2009-039** 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)

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, Robbie Waters and Mayor Kevin Johnson.

Conducted a public hearing with no public comment and upon conclusion a motion **passed** to adopt **Ordinance No. 2009-040** 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)

Action: Moved/Seconded: Member Ray Tretheway/Member Steve Cohn

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 Lanetee Davies and Ryan Landers; and upon conclusion a motion **passed** to adopt **Ordinance No. 2009-041** extending 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)

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

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

No: Member Ray Tretheway and Mayor Kevin Johnson.

Received public comment heard from George Raya; Member Cohn added Cynthia Torrez, Planning Area 1, for appointment consideration; and a motion **passed** 1) directing staff to return directly to Council with an ordinance amendment allowing Councilmembers to appoint Parks and Recreation Commission members by district; 2) return directly to Council within 30 days with an Ordinance amendment allowing Councilmember to appoint Planning Commission members by district and 3) continue to vet "at large" appointments through Personnel and Public Employees Committee.

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)

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, Robbie Waters and Mayor Kevin Johnson.

A motion **passed** to 1) Accept the CRCIP status report; 2) adopt **Resolution No. 2009-557** 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
Location: (Citywide)

Action: Moved/Seconded: Member Sandy Sheedy/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

A motion passed to adopt **Resolution No. 2009-558:** 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)
Action: Moved/Seconded: Member Kevin McCarty/ 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
Reviewed actions for the amendment of Resolution 2009-05, forming the 2009 Charter Review Committee with public comment heard from Bill Camp; and a motion **passed** to adopt **Resolution No. 2009-559**, amending Resolution 2009-095 revising the scope of work and timelines of the Committee as illustrated in Attachment 3 of the report.
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)
Action: Received and filed 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)
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.
A motion **passed** to continue to **September 8, 2009** the review of Strong Mayor Initiative legal issues and options for correcting those legal issues.
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)
Action: Moved/Seconded: Member Steve Cohn/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.

An Intent Motion **passed** to adopt an Ordinance after a workshop to discuss details of implementation possibly combining the City Auditor and Independent Budget Analyst positions.

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

23. Estimated Time: 20 minutes

Status Report: 800 K/L Proposed Development [To Be Delivered]

Location: 800-816 K Street and 809-815 L Street (District 1)

Action: Public comment heard from Bill Camp, Brian Larson, Daisy Mera, Jon Marshack, William Burg, Margaret Buss, Vivian Gerlach, Cline Moore, and Michael Ault; directed staff to 1) issue a Request for Qualifications (RFQ); and 2) continue to negotiate with USA Hospitality for 90 days for the project including preserving Bell View Hotel to the extent possible.

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

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Robbie Waters and Lauren Hammond-Responsibility by Flores Paving for cost of broken sewer pipes at 2771 29th Avenue
- b. Mayor Johnson-begin initial consideration for potential safe ground locations

2. Board and Commission Appointments

- a. Sacramento Youth Commission
 1. T'Keyah Greer (District 1)
 2. Christopher Crump (District 8)
 3. Jordan Gonzales (District 7)
 4. Jamee Hawthorn (District 7)
 5. Sammie Lawrence IV (A6)
 6. Margarita Aguilar (A6)
 7. Maris Elena Kolokotronis (A3)
 8. Olivia Godby (A3)
- b. Sacramento Sports Commission
 1. Rhonda Smira Nobili (Category A1)

Adjourned at 10:09 pm.



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

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Raymond L. Tretheway III, District 1
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Steve Cohn, District 3
Robert King Fong, District 4
Lauren Hammond, Vice-Mayor, District 5
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Bonnie Pannell, District 8

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Tuesday, September 8, 2009

City Hall – 915 I Street- First Floor Council Chamber

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Open Session - 6:00 p.m.

Roll Call - Regular session called to order by Mayor Kevin Johnson at 6:00 p.m. Tuesday, September 8, 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 Robert King Fong.

Closed Session Report– None.

Special Presentations/General Communications

- a. **Honoring Frank Fat for his Contribution as a Well Known Premier Chef and Restaurateur**
Action: Member Robbie Waters recognized Frank Fat.
- b. **Recognizing the Youth of the Month**
Action: Presented by Member Steve Cohn to Ian Spence Miles.

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

1. Homelessness/Safe Ground
 - a. Jeff Springer
 - b. Sheila Amos
 - c. Carol Carlile
 - d. Matt Zink
 - e. Michael J Muzyka
 - f. Tracie Bailey
2. FPPC Ruling-Strong Mayor Initiative
 - a. Pastor Tillmad Wade

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

Action: Moved/Seconded: Member Robbie Waters/Member Steve Cohn

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. Confirmation of Board and Commission Appointments

Location: (Citywide)

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, and Robbie Waters

No: Mayor Kevin Johnson

Removed from Consent Calendar by Member Bonnie Pannell for discussion and a motion **passed** to 1) Confirm board/commission appointments to the Sacramento Youth Commission – Marisa Elena Kolokotronis and Olivia Godby (Category A-3), T'Keyah Greer (Category A-4), Christopher Crump (Category A-8), Jordan Gonzalez (Category A-7), Sammie Lawrence IV and Margarita Aguilar (Category A-6); and 2) reopen the Sacramento Sports Commission (Category A-1) for review by the Personnel and Public Employee Committee; and 3) directed the City Clerk to prepare a report back on board and commission costs.

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

2. Changes to the Noise Variance Procedures (M09-027) (Passed for Publication on 8-25-09, Published on 8-28-09)

Location: (Citywide)

Action: Adopted 1) **Resolution No. 2009-570** determining the project is exempt from environmental review; and 2) **Ordinance No. 2009-042** amending Section 8.68.260 of the City Code relating to noise variances.

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

3. Appropriation of Mello-Roos Tax Revenue: Natomas Central Community Facilities District (CFD) 2006-02

Location: North Natomas (District 1)

Action: Adopted **Resolution No. 2009-571** appropriating \$1,031,000 from collected Mello-Roos taxes for CFD 2006-02 to allow for the reimbursement of eligible developer costs.

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

4. Grant: AmeriCorp Program

Location: (Citywide)

Action: Adopted **Resolution No. 2009-572** 1) authorizing the City Manager or designee to execute the standard State of California AmeriCorps agreement and any extensions, amendments, reapplications or other documents with the State of California as necessary for the City to accept and administer a three-year AmeriCorps grant in the amount of \$1,952,217; 2) authorizing the City Manager or designee to establish a grant project in the START Fund 2501 for the program; 3) authorizing the City Manager or designee to adjust the necessary grant and operating revenue and expenditure budgets to implement the \$1,952,217 grant in three one-year components of \$650,739 each; and 4) approving the Resolution required by the State agency that operates the program.

Contact: David Mitchell, Operations Manager, (916) 808-6076, Parks and Recreation Department.

5. Agreement: Federal Transportation Advocacy Services

Location: (Citywide)

Action: Adopted **Resolution No. 2009-573** authorizing the City Manager to execute a Professional Services Agreement with Smith Dawson & Andrews (SDA) for federal advocacy services for a period of two years for an amount not to exceed \$192,000 with three additional one-year extensions for an amount not to exceed \$92,000 for each one year extension.

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

6. Summary Vacation: Portion of the Public Right of Way

Location: 1017 Silvano Street (District 2)

Action: Adopted **Resolution No. 2009-574** vacating a Portion of the Public Right of Way at 1017 Silvano.

Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918, Thomas Adams, Engineering Technician, (916) 808-7929, Transportation Department.

7. Agreement: Cost Sharing FY2009/10 Water Forum Successor Effort

Location: (Citywide)

Action: Adopted **Resolution No. 2009-575** authorizing the City Manager to execute an Interagency Agreement for Cost Sharing the funding for the FY2009/10 Budget of the Water Forum Successor Effort (WFSE) in the amount of \$950,099.

Contact: Kathy Howard, Administrative Analyst (916) 808-1995, Sarah Foley, Program Manager (916) 808-1997, Utilities Department.

8. **(Pass for Publication) Ordinance: Utilities Rate Advisory Commission Calendar Year 2009 Meetings**

Location: (Citywide)

Action: 1) Reviewed an Ordinance authorizing the Utilities Rate Advisory Commission to hold more than twelve meetings in calendar year 2009; and 2) passed for publication the Ordinance title as required by Sacramento City Charter Section 32(c) to be adopted September 15, 2009.

Contact: Terrance Davis, Program Specialist, (916) 808-4929, Marty Hanneman, Director, (916) 808-7508, Utilities Department.

9. **Contract: 6th Street Water Transmission Main Project (Z14004400)**

Location: 6th Street between I and Q (District 1)

Action: Adopted **Resolution No. 2009-576** 1) approving the contract plans and specifications for the project; and 2) awarding the contract to Martin General Engineering Inc., to replace old riveted steel water transmission mains installed in the downtown section of the City for an amount not-to-exceed \$880,825.

Contact: David L. Brent, Engineering Services Manager, (916) 808-1420, Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.

10. **Contract: 45th Street Water Transmission Main Project (Z14005100)**

Location: 45th Street from S Street to Y Street (Districts 3,5)

Action: Adopted **Resolution No. 2009-577** 1) approving the contract plans and specifications for the project; and 2) awarding the contract to T& S Construction Co, Inc to replace old riveted steel water transmission mains installed in the downtown section of the City for an amount not-to-exceed \$730,810.

Contact: David L. Brent, Engineering Services Manager, (916) 808-1420, Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.

11. **South Land Park Water Main Replacement – Phase 4 Project(Z14010011)**

Location: Area bounded by Riverside Blvd on the west, Euclid Ave on the east, Brownwyk Drive on the north and 25th Ave on the south (District 4)

Action: Adopted **Resolution No. 2009-578** 1) approving the contract plans and specifications for the project; and 2) awarding the contract to United Building Contractors to replace water distribution mains and install water meters in the South Land Park area for an amount not to exceed \$1,628,656.

Contact: David L. Brent, Engineering Services Manager, (916) 808-1420, Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.

12. **American Recovery and Reinvestment Act (ARRA) Water Meter Retrofit Project Phase 1 (Z14010000)**
Location: Residential and Commercial Properties (District 7, 8)
Action: Adopted **Resolution No. 2009-579** 1) awarding the contract for the project to Flowline Contractors, Inc. for an amount not to exceed \$1,837,043; and 2) establishing the Water ARRA Fund to account for the revenue and expenditures under the funding agreement which provides \$20 Million ARRA funding million dollars for the Water Meter Program.
Contact: David L. Brent, Engineering Services Manager, (916) 808-1420, Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.

Discussion Calendar/Staff Reports (Items 13 - 16)

13. **Estimated Time: 5 minutes**
Membership in CalTRUST Investment JPA
Location: (Citywide)
Action: Moved/Seconded: Member Lauren Hammond/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

A motion **passed** to adopt **Resolution No. 2009-580** authorizing The City of Sacramento to join the Investment Trust of California, a Public Joint Powers Authority otherwise known as CalTRUST, to invest operating reserves and funds into the treasury not required for immediate needs with other public agencies in the Trust
Contact: Russell T. Fehr, City Treasurer, (916) 808-5832, John Colville, Senior Investment Officer, (916) 808-8297, Office of the City Treasurer.
14. **Estimated Time: 15 minutes**
Bridging Interstate 5 Project
Location: Interstate 5 between O Street and Capitol Mall (District 1)
Action: Received and filed.
Contact: Ryan Moore, Supervising Engineer (916) 808-8279, Nicholas Theocharides, Engineering Manager (916) 808-5065, Transportation Department.
15. **Estimated Time: 15 minutes**
Bay Delta Legislation Policy Statement (Oral Report)
Location: (Citywide)
Action: Received with public comment heard from Barbara Daly, Kim Glazzard and Dan Bacher; and filed.
Contact: David L. Brent, Engineering Services Manager, (916) 808-1420, Utilities Department.

16. **Estimated Time: 45 minutes**
Workshop: Relationship of Independent Budget Analyst and City Auditor (To Be Delivered)
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, and Robbie Waters
No: Mayor Kevin Johnson
- A motion **passed** directing staff to return with either scenario 2 or 3 as shown in the staff report; attempting to find one person with the proper qualities for the city auditor and independent budget analyst.
- Contact:** Russell Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Kevin McCarty-Impacts of Nestle Water Facility locating in Sacramento

2. Board and Commission Appointments

- a. Audit Committee
 1. Steve Cohn (Chair)
 2. Lauren Hammond
 3. Ray Tretheway
 4. Robbie Waters
- b. Law and Legislation Committee
 1. Lauren Hammond (Chair)
 2. Steve Cohn
 3. Ray Tretheway
 4. Robbie Waters
- c. Personnel and Public Employees
 1. Bonnie Pannell (Chair)
 2. Robert King Fong
 3. Kevin McCarty
 4. Sandy Sheedy

Adjourned - at 8:00 p.m.