



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

# **Agenda**

**Tuesday, December 15, 2009**

**City Hall-915 I Street, 1<sup>st</sup> 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

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## **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, December 15, 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**

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- 24) 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 December 1, 2009**

**Location:** (Citywide)

**Recommendation:** Approve the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for December 1, 2009.

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

## Consent Calendar (Continued)

### 2. **Administrative Approvals Associated with the June 8, 2010 Primary and November 2, 2010 General Elections**

**Location:** (Districts 1, 3, 5 and 7)

**Recommendation:** Adopt 1) a **Resolution** calling and giving notice of a primary municipal election to be held on Tuesday, June 8, 2010, for the election of certain officers (Districts 1, 3, 5 and 7); and of a general municipal election to be held on Tuesday, November 2, 2010, for a run-off election of certain officers if necessary; 2) a **Resolution** requesting the Sacramento County Board of Supervisors to consolidate the City of Sacramento's primary and general municipal elections with the statewide primary and general elections; and 3) a **Resolution** requesting the Sacramento County Board of Supervisors to order the County Registrar of Voters to render certain election services to the City of Sacramento in connection with the consolidated elections.

**Contact:** Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

### 3. **(Redevelopment Agency) Docks Area Exclusive Right to Negotiate and Business Terms**

**Location:** Eastern bank of the Sacramento River, north of the Marina/Miller Park, west of Interstate 5 and south of Capitol Mall (District 4)

**Recommendation:** Adopt a **Redevelopment Agency Resolution** authorizing the Executive Director or her designee to extend the Exclusive Right to Negotiate with KSWM Docks Partners, LLC; and Term Sheet and Performance Schedule for the Docks Area project.

**Contact:** Beth Tincher, Senior Economic Development Project Manager, (916) 808-7730, Leslie Fritzsche, Downtown Development Manager, (916) 808-5450, Economic Development Department.

### 4. **Agreement: Each One Reach One Street Outreach Program (G02000400)**

**Location:** (Citywide)

**Recommendation:** Adopt a Resolution 1) to accept \$63,900 in grant funds from Kaiser Permanente Community Benefit Program; 2) establish a new operating grant for the Each One Reach One Street Outreach Program (G2000400); 3) to establish a \$63,900 (fund 2702) revenue and expenditure budget within the operating grant; 4) to approve the Non-Professional Agreement for the Each One Reach One Street Outreach Program to Roberts Family Development Center for an amount not-to-exceed \$63,900; and 5) to authorize the City Manager, or his designee, to execute any and all necessary required documents.

**Contact:** Lyn Corbertt, Director, Office of Youth Development (916) 808-8849, Denise Curl, Administrative Analyst, Office of Youth Development, (916) 808-6204, Office of the City Manager.

## Consent Calendar (Continued)

### 5. **Agreement: Counseling Services for Attendance Centers**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** to 1) accept \$280,000 in grant funds from the United States Department of Juvenile and Delinquency Prevention contingent upon final approval from the Committee on Appropriations to Doris Matsui's office earmarked for the Attendance Centers in 2010; 2) establish a new operating grant for the Attendance Centers for the 09/10 school year (G200500); 3) establish a \$280,000 (fund 2702) revenue and expenditure budget within the operating grant; and 4) authorize the City Manager or his designee to enter into an Agreement with Panacea Services, Inc., for an amount not to exceed \$200,000 for the period of November 1, 2009 to June 30, 2010 to provide counseling services to truant students and their families at attendance centers at Inderkum, McClatchy, and Luther Burbank High School and execute any and all necessary required documents.

**Contact:** Lyn Corbett, Director, Office of Youth Development, (916) 808-8849, Office of the City Manager.

### 6. **Agreements: Fiscal Year (FY) 2009/10 County Contributions to City / County Organizations**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** 1) authorizing the City Manager or his designee to execute agreements regarding contributions from Sacramento County for the FY2009/10 operations of the Center for Sacramento History, the Sacramento Metropolitan Arts Commission, the Sacramento History Museum, the Discovery Museum Science and Space Center, and the Sacramento Sports Commission; 2) authorizing the City Manager or his designee(s) to reduce the FY2009/10 operating budgets for the Center for Sacramento History, the Sacramento Metropolitan Arts Commission, the Sacramento History Museum, the Discovery Museum Science and Space Center, and the Sacramento Sports Commission by a total of \$272,061.

**Contact:** Karolyn Pelka, Administrative Officer, (916) 808-5898, Barbara E. Bonebrake, Director, Convention, Culture & Leisure, (916) 808-8225, Convention, Culture and Leisure Department.

## Consent Calendar (Continued)

**7. Agreement: Cultural Arts Awards (CAA) Cycle Extension and Funding for Calendar Year (CY) 2010**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** 1) authorizing the one-time extension of the 2007-09 Cultural Arts Award Grant cycle to include the CY 2010; 2) approving the funding of 53 organizations under the 2010 Cultural Arts Awards (CAA) Grant Program in the amount of \$350,000 in City funds; 3) approving and authorizing the City Manager or his designee, to execute an agreement between the City and County of Sacramento for the transfer of \$350,000 in City funds to the County for the County's facilitation of the grant contracts.

**Contact:** Rhyena Halpern, Executive Director, (916) 566-3989, Anja Aulenbacher, Grants and Cultural Programs Coordinator, (916) 566-3986, Convention, Culture and Leisure Department.

**8. Ordinance Amendment: Water Efficient Landscape M09-042 (Passed for Publication on 12-8-09, Published on 12-11-09)**

**Location:** (Citywide)

**Recommendation:** Adopt an **Ordinance** repealing and adding Chapter 15.92 to the Sacramento City Code relating to water efficient landscape and irrigation.

**Contact:** Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department.

**9. Agreement: Infill House Plan Program**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** authorizing the City Manager to execute an agreement with the Sacramento Municipal Utility District for \$55,000 to fund the development of energy efficient home models for the City's Pre-Approved Infill House Plan Program.

**Contact:** Desmond Parrington, AICP, Infill Coordinator, (916) 808-5044, Jamie Cutlip, Associate Planner, (916) 808-8684, Community Development Department.

**10. City-Owned Sites Digital Billboards**

**Location:** (Citywide)

**Recommendation:** Adopt a **Resolution** approving a 90-day extension of the exclusive right granted to Clear Channel Outdoor, Inc. to negotiate with the City on terms for constructing and operating digital billboards on City-owned sites.

**Contact:** Tom Zeidner, Senior Development Project Manager, (916) 808-1931, Economic Development Department.

## Consent Calendar (Continued)

- 11. Ordinance Amendment: Uniform Transient Occupancy Tax Ordinance** (Passed for Publication on 12-8-09, Published on 12-11-09)  
**Location:** (Citywide)  
**Recommendation:** Adopt an **Ordinance** adding section 3.28.190 to the Sacramento City Code relating to the Uniform Transient Occupancy Tax and requiring payment prior to litigation.  
**Contact:** Brad Wasson, Revenue Manager, (916) 808-5844, Finance Department.
- 12. Citation and Arrest Authority**  
**Location:** (Citywide)  
**Recommendation:** Adopt a **Resolution** granting Citation and Arrest Authority to certain staff members in the Finance Department and rescinding Resolution No. 2005-328.  
**Contact:** Dafna Gauthier, Business Permit Manager (916) 808-7800, Finance Department.
- 13. Ordinance Amendment: Cardroom License Transfers and Tolling of Automatic Cardroom License Revocation** (Passed for Publication on 12-8-09, Published on 12-11-09)  
**Location:** (Citywide)  
**Recommendation:** Adopt **Ordinance** amending Sections 5.32.110, 5.32.160, and 5.32.170 of Sacramento City Code Chapter 5.32 relating to Cardrooms to align with the State of California's cardroom license change process, and to toll the period for automatic cardroom license revocation under extenuating circumstances.  
**Contact:** Dafna Gauthier, Business Permit Manager, (916) 808-7800, Finance Department.
- 14. Grant: Community Emergency Response Team (CERT) Program**  
**Location:** (Citywide)  
**Recommendation:** Adopt a **Resolution** authorizing the City Manager or his designees, Fire Chief and Deputy Fire Chief: 1) to accept \$55,954 of grant funding for the CERT program through the 2007 SHSGP; 2) to establish an operating grant for the 2007 SHSGP Grant (CERT) (G12901500); 3) to establish and adjust the necessary grant revenue and expenditure budgets to implement the \$55,954 grant; and 4) to approve all other paperwork to implement the 2007 SHSGP grant for the CERT program and to assure adherence to all grant regulations.  
**Contact:** Leo Baustian, Fire Deputy Chief, (916) 808-1602 Lloyd Ogan, Fire Deputy Chief, (916) 808-1603, Fire Department.

## Consent Calendar (Continued)

15. **Capital Improvement Program (CIP): River Garden Park Project (L19005800)**  
**Location:** 2324 Thelma Avenue (District 1)  
**Recommendation:** Adopt a **Resolution** 1) establishing a CIP project for the River Garden Park Project; and 2) appropriating \$70,360 from Quimby In-Lieu Fees, Fund 2508, to the project.  
**Contact:** Mary de Beauvieres, Principal Planner, (916) 808-8722, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.
16. **Agreement: Driving Under the Influence (DUI)**  
**Location:** (City and County of Sacramento)  
**Recommendation:** Adopt a **Resolution** authorizing the City Manager, or designee, to execute an agreement with the Sacramento County Sheriff's Department to continue the program partnership for the DUI Brief Intervention Program at the County Jail.  
**Contact:** Lt. Gina Haynes, (916) 808-0714, Police Department.
17. **Supplemental Agreement: Neighborhood Policing Services**  
**Location:** (Citywide)  
**Recommendation:** Adopt a **Resolution** 1) authorizing the City Manager, or his designee, to execute Supplemental No. 10 to City Agreement 97-002 with Kaiser Foundation Hospital to provide neighborhood policing services in the amount of \$240,854; 2) authorizing the City Manager, or his designee to establish an Externally Funded Program (EFP) for Supplemental No. 10 and; 3) authorizing the City Manager, or designee to adjust the necessary revenue and expenditure budgets to implement the program.  
**Contact:** James Maccoun, Captain, (916) 808-0841, Police Department.
18. **Agreement: Alley Surface Improvements between Capitol Avenue and L Street from 17<sup>th</sup> to 18<sup>th</sup> Streets**  
**Location:** Alley between Capitol Avenue and L Street from 17<sup>th</sup> to 18<sup>th</sup> Streets (District 3)  
**Recommendation:** Adopt a **Resolution** 1) authorizing the City Manager to enter into an Individual Project Agreement with the Sacramento Housing Redevelopment Agency to accept Community Development Block Grant (CDBG) funds in the amount of \$100,000 for the Project; 2) establishing a Capital Improvement Project (CIP) for the Project; and 3) appropriation of funds.  
**Contact:** Ricky Chuck, Senior Engineer, (916) 808-5050, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.

## Consent Calendar (Continued)

19. **Agreement: Natomas Safe Routes to Schools Project (T15105000)**  
**Location:** Bannon Creek Elementary School near Bannon Creek Drive and Azevedo Drive (District 1), Jefferson Elementary School near Pebblewood Drive and Azevedo Drive (District 1), and Natomas Park Elementary School near Crest Drive and North Bend Drive (District 1)  
**Recommendation:** Adopt a **Resolution** 1) establishing the project; 2) authorizing the City Manager to execute an agreement with Natomas Unified School District ; 3) appropriating \$250,000 (Fund 3702) to the Project (to match the Safe Routes to Schools grant funds; and 4) appropriating \$996,000 in federal capital grants (Fund 3703) to the project.  
**Contact:** Cecilyn Foote, Associate Civil Engineer (916) 808-6843, Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.
20. **Agreement: Folsom Boulevard Widening/Ramona Avenue Extension Project (T15018400)**  
**Location:** Ramona Avenue from Brighton Avenue to Folsom Boulevard (Districts 3 and 6)  
**Recommendation:** Adopt a **Resolution** 1) authorizing the City Manager to execute Program Supplement No. 082-M1 with the federal government; and 2) appropriating funds in the amount of \$1,834,908 (Fund 3703) to the Project.  
**Contact:** Jesse Gothan, Associate Engineer, (916) 808-6897, Lucinda Willcox, Program Manager, (916) 808-5052, Transportation Department.
21. **Supplemental Agreement: Redding Avenue Bicycle and Pedestrian Improvement Project (T15065800)**  
**Location:** 69<sup>th</sup> Street between Folsom Boulevard and Q Street and Redding Avenue between Q Street and just south of 4<sup>th</sup> Avenue (Districts 3 and 6)  
**Recommendation:** Adopt a **Resolution** 1) authorizing the City Manager to approve Supplemental Agreement No. 3 to City Agreement 2007-0665 with MRO Engineers, Inc. to conclude the project design of the project in an amount not to exceed \$39,672 and; 2) resetting the City Manager's authority for the design agreement.  
**Contact:** Ofelia Avalos, Assistant Engineer, (916) 808-5515, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.
22. **Supplemental Agreement: 926 J Street Building**  
**Location:** 926 J Street/District 1  
**Recommendation:** Adopt a **Resolution** authorizing the City Manager to execute Supplemental No. 1 to City Agreement No. 2006-1025 with Cal West Partners, LP with the term retroactive to July 1, 2009.  
**Contact:** Howard Chan, Parking Services Manager, (916) 808-7488, Transportation Department.

## Consent Calendar (Continued)

23. **Agreement: Paratransit First Supplemental Paying Agent**  
**Location:** South Sacramento (District 5)  
**Recommendation:** Adopt a **Resolution** authorizing the execution and delivery of a First Supplemental Paying Agent Agreement and other actions that may be required related to the City of Sacramento Special Purpose Facility Revenue Bonds (Paratransit 2005) for the purpose of amending terms related to the interest rate.  
**Contact:** Janelle Gray, Public Finance Manager, (916) 808-8296, Office of the City Treasurer.
24. **Agreement: Permanent Household Hazardous Waste Collection Facility**  
**Location:** (District 6)  
**Recommendation:** Adopt a **Resolution** authorizing the City Manager, or authorized designee, to execute a Memorandum of Understanding (MOU) between the City of Sacramento and the Yolo County to 1) allow Yolo County residents to bring household hazardous waste to the City of Sacramento Permanent Household Hazardous Waste Collection Facility at no charge to the resident; and 2) require Yolo County to pay a minimum of \$70 per each car based on Yolo County zip codes for its share of costs incurred at the City's PHHWCF.  
**Contact:** Edison Hicks, Integrated Waste General Manager, (916) 808-4949, Marty Strauss, Integrated Waste Planning Superintendent, (916) 808-4934, Utilities Department.

## Public Hearings (Items 25 and 26)

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

25. **Estimated Time: 30 minutes**  
**Sacramento Docks Specific Plan (P08-058)** (Noticed on 12-4-09)  
**Location:** Generally south and east of the Sacramento River, north and west of I-5 and Interstate 50 (District 1 and 4)  
**Recommendation:** Conduct a public hearing and upon conclusion adopt a) a **Resolution** certifying the Environmental Impact Report (EIR) per the California Environmental Quality Act and adopting the Monitoring Mitigation Plan (MMP); b) an **Ordinance** rezoning 29.27± acres consisting of 27.5± acres of Heavy Industrial (M-2) zone and 1.77± acres of Light Industrial (M-1) zone to General Commercial (C-2) zone; c) a Resolution adopting the Sacramento Docks Specific Plan (Option B); d) a **Resolution** adopting the Sacramento Docks Design Guidelines (Option B); and e) a **Resolution** approving the Docks Financing Plan.  
**Contact:** Elise Gumm, LEED AP, Associate Planner, (916) 808-1927, Stacia Cosgrove, Senior Planner, (916) 808-7110, Community Development Department.

## Public Hearings (Continued)

26. **Estimated Time: 10 minutes**  
**Supplemental Agreement: Access Improvements from the Richards Boulevard and Interstate 5 Project (T15088300)** (Noticed on 10-19-09)  
**Location:** The Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project is located just north of Downtown. (District 1)  
**Recommendation:** Conduct a public hearing and upon conclusion, adopt 1) a **Resolution a)** approving the Mitigated Negative Declaration; and b) approving the Mitigation Monitoring Plan, and 2) a **Resolution a)** approving the 90% plans and specifications; b) increasing the project budget by transferring \$325,000 from the North CBD Access Study Project (T15028200) to the project; c) authorizing the City Manager to execute Supplemental Agreement No. 3 to City Agreement 2008-0307 with David Evans and Associates, Inc. in the amount of \$95,662 to provide preliminary engineering services and final design for this project; d) resetting the City Manager's authority; and f) authorizing the Director of Transportation to sign and submit, on behalf of the City of Sacramento, a request to Caltrans for a Cooperative Work Agreement (CWA) time extension to utilize federal transportation funds authorized for the North Central Business District Access Improvements Project (T15028200).  
**Contact:** Nader Kamal, Special Projects Engineer, (916)808-7035, Jennifer Hageman, Senior Planner, (916) 808-5538, Transportation Department.

## Discussion Calendar/Staff Reports (Items 27- 31)

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

27. **Estimated Time: 30 minutes**  
**Update on the Sacramento Sport and Entertainment Facility Effort [Oral Report]**  
**Location:** (Citywide)  
**Recommendation:** Receive and file.  
**Contact:** John Dangberg, Assistant City Manager, (916) 808-1222, Office of the City Manager.
28. **Estimated Time: 15 minutes**  
**City of Sacramento Amicus Support in McDonald v. Chicago**  
**Location:** (Citywide)  
**Recommendation:** Discuss and consider whether to authorize the City Attorney's Office to take the necessary steps to have the City of Sacramento join as amicus curiae with various cities in McDonald v. Chicago, United States Supreme Court Case no. 08-1521, in support of the position that the Second Amendment to the United States Constitution does not apply to the States and local governments.  
**Contact:** Eileen Teichert, City Attorney, (916) 808-5346, Office of the City Attorney.

## Discussion Calendar/Staff Reports (Continued)

29. **Estimated Time: 20 minutes**  
**Report Back on the Facilities Permit Program (FPP) [To Be Delivered]**  
**Location:** (Citywide)  
**Recommendation:** Receive and file.  
**Contact:** Eileen Teichert, City Attorney, (916) 808-5346, Office of the City Attorney, John Dangberg, Assistant City Manager, (916) 808-1222, Office of the City Manager.
30. **Estimated Time: 20 minutes**  
**Facilities Permit Program Amendment**  
**Location:** (Citywide)  
**Recommendation:** Receive and file.  
**Contact:** David Kwong, Acting Director of Community Development, (916) 808-2991, Carl Hefner, Interim Chief Building Official, (916) 808-8779, Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department.
31. **Estimated Time: 20 minutes**  
**Consideration of Establishing a Sister City Relationship with Bethlehem, and Endorsing the Intent of Establishing a Sister City Relationship with a City Within Israel**  
**Location:** (Citywide)  
**Recommendation:** Adopt 1) a **Resolution** Establishing a Sister City relationship with Bethlehem, and 2) a **Resolution of Intent** to establish a Sister City relationship with a city within Israel  
**Contact:** Lisa Serna-Mayorga, Council Operations Manager, (916) 808-7171, Office of the Mayor.

## Council Comments-Ideas, Questions and Meeting/Conference Reports

### Adjournment