



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

Draft Minutes

Tuesday, July 21, 2009

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

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

CITY COUNCIL

Kevin Johnson, Mayor
Raymond L. Tretheway III, District 1
Sandy Sheedy, District 2
Steve Cohn, District 3
Robert King Fong, District 4
Lauren Hammond, Vice-Mayor, District 5
Kevin McCarty, District 6
Robbie Waters, District 7
Bonnie Pannell, District 8

CHARTER OFFICERS

Eileen Teichert, City Attorney
Shirley Concolino, City Clerk
Ray Kerridge, City Manager
Russ Fehr, City Treasurer

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160).

Speaker slips are available on the City's Website and located in racks inside the chamber and should be completed and submitted to the Assistant City Clerk.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order and estimated time for Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The Agenda provides a general description and staff Actions; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City's website and include all attachments and exhibits. "To Be Delivered" and "Supplemental" reports will be published as they are received. Hard copies are available at the Office of the City Clerk and all written material received is available at the meeting for public review.

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Draft Minutes

Tuesday, July 21, 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 6:00 p.m. Tuesday, July 21, 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. **Recognition: Shirley Concolino for Achieving the Master Municipal Clerk Designation**

Action: Presented to Shirley Concolino by Randi Johl, City of Lodi City Clerk

- b. **2010 Census Partnership**

Action: Presented by Lauren Hammond to Elizabeth Cantu, US Census Bureau

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

1. Marc Brandes-City Parks

Consent Calendar (Items 1 – 20) **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. **Open an Application Period for Various Boards and Commissions**

Location: (Citywide)

Action: Opened an application period for the 1) Utilities Rate Advisory Commission to open 07/22/09 with applications due 08/21/09; 2) Meadowview Development Committee to open 07/22/09 with applications due 08/21/09 and 3) Downtown/Riverfront Streetcar Policy Study Steering Committee to open 07/22/09 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.

2. **(City Council, Housing Authority/Redevelopment Agency) Agency Employees in the Operations and Maintenance, and General Clerical and Service Units**

Location: (Citywide)

Action: Adopted **City Resolution No. 2009-470, Housing Authority Resolution No. 2009-012, and Redevelopment Agency Resolution No. 2009-043** approving the collective bargaining agreement covering Agency employees in the Operations and Maintenance, and General Clerical and Service units with American Federation of State, County and Municipal Employees (AFSCME).

Contact: La Shelle Dozier, Executive Director, (916) 440-1319, James Shields, Director of Administration, (916) 440-1308, Sacramento Housing and Redevelopment Agency.

3. **(Redevelopment Agency) Agreement: Fall 2009 Rebuilding Dreams Project**

Location: Avondale and Colonial Village Neighborhoods (District 6)

Action: Adopted **Redevelopment Agency Resolution No. 2009-044** authorizing the Executive Director or her designee to: 1) amend the Agency budget to transfer \$85,000 in Army Depot Development Assistance Tax Increment funds to the Fall 2009 Rebuilding Dreams Project; and 2) execute an agreement with Rebuilding Together to implement the project in an amount not to exceed \$85,000.

Contact: Chris Pahule, Assistant Director, Housing and Community Development, (916) 440-1350; Lisa Bates, Deputy Executive Director, (916) 440-1316, Sacramento Housing and Redevelopment Agency.

4. **(Redevelopment Agency) Loan and Owner Participation Agreement: Palmer Apartments Project**

Location: 3131 Palmer Street (District 3)

Action: Adopted: 1) **Redevelopment Agency Resolution No. 2009-045** a) authorizing the Executive Director or her designee to enter into an Owner Participation Agreement and loan agreement for up to \$950,000 with Transitional Living and Community Support, Incorporated or a related entity (Developer) for the project, and b) authorizing amendment of the Agency budget to allocate \$950,000 in City Low/Moderate Aggregated Tax Increment funds as a loan to the Developer for construction and permanent financing of the project.

Contact: Diane Luther, Assistant Director, Housing and Community Development, (916) 440-1362, and Christine Weichert, Assistant Director, Housing and Community Development, (916) 440-1353, Sacramento Housing and Redevelopment Agency.

5. **Supplemental Agreements/Agreement: Community Reinvestment Capital Improvement Program (CRCIP)**

Location: (Districts 1 and 3)

Action: Adopted **Resolution No. 2009-471** approving and authorizing the City Manager or his designee to execute 1) Supplemental No. 1 to City Agreement 2006-0798 between the City and the Studios for the Performing Arts; 2) Supplemental No. 3 to City Agreement Number 2002-215 between the City and the Crocker Art Museum Association; 3) loan and security agreements with the Crocker Art Museum Association related to a \$10 million CRCIP bond proceeds line of credit for the construction of the Crocker Art Museum Expansion and Renovation Project

Contact: Barbara E. Bonebrake, Director, Convention, Culture & Leisure, (916) 808-8225; Rebecca Bitter, Program Manager, (916) 808-5047, Convention, Culture and Leisure Department.

6. **Crocker Art Museum Authorization to Deaccession Artwork**

Location: Crocker Art Museum (District 1)

Action: Adopted **Resolution No. 2009- 472** authorizing the Director of the Crocker Art Museum to: 1) deaccess five works by artist Martín Ramírez; and 2) reaccess two of the Martin Ramírez works.

Contact: Erin Aitali, Curatorial Assistant, (916) 808-8770, Convention, Culture and Leisure Department.

7. **Request for Proposal (RFP): Old Sacramento Solid Waste Collection and Diversion Programs (PN: P074360001)**

Location: Old Sacramento Historic District (District 1)

Action: Adopted **Resolution No. 2009-473** approving the Solid Waste Collection and Diversion Programs RFP to provide collection service to the Old Sacramento collection district.

Contact: Natalie Birk, Old Sacramento Historic District Manager, (916) 808-8209, Convention, Culture and Leisure Department.

8. **(Pass for Publication) First Round Zoning Code Updates For 2030 General Plan Consistency and Regulatory Improvement Code Changes (M08-051)**

Location: (Citywide)

Action: Reviewed 1) a Resolution determining the project is exempt from environmental review; 2) an Ordinance amending various sections of Title 17 of the Sacramento City Code (Zoning Code) relating to land use and entitlement processing requirements to create consistency with policies and programs under the 2030 General Plan; 3) an Ordinance amending section 15.44.020 of Title 15 of the Sacramento City Code (Building Code) relating to demolition of non-historic residential structures; amending various sections of Title 16 of the Sacramento City Code (Subdivision Code) and Title 17 of the Sacramento City Code (Zoning Code) relating to land use entitlement processing; and 4) pass for publication the Ordinance titles as required by Sacramento City Charter 32(c) to be adopted July 28, 2009.

Contact: Sandra Yope, Senior Planner, Community Development (916) 808-7158, Jim McDonald, AICP, Senior Planner, Community Development, (916) 808-5723, Community Development Department.

9. Infill Strategy Report

Location: (Citywide)

Action: Reviewed and commented including actions on issues to address in the upcoming update of the Infill Strategy.

Contact: Desmond Parrington, AICP, Infill Coordinator (916) 808-5044, and David Kwong, Planning Director, (916) 808-2691, Community Development Department.

10. (Redevelopment Agency) Administrative Matter: 800 Blocks of K and L Streets Project

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

Action: Adopted **Redevelopment Agency Resolution No. 2009-046** amending Redevelopment Agency Resolution 2009-036 to correct an error regarding the expiration date which states July 24, 2009 instead of August 23, 2009 of the Exclusive Right to Negotiate Agreements (ERNs) with USA Hospitality, Inc. for the project.

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

11. Agreement: Valley Hi/North Laguna Library Project (B13000800)

Location: 7320 Cotton Lane (District 8)

Action: Adopted **Resolution No. 2009-474** authorizing the City Manager or the City Manager's designee to execute a memorandum of understanding between the City of Sacramento and the Sacramento Public Library Authority (Library Authority) to reimburse the Library Authority for the purchase of information technology software and hardware in an amount not to exceed \$400,000.

Contact: Jeff Blanton, Associate Architect, (916) 808-8423, Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.

12. Supplemental Agreement: Electronic Citywide Accounting and Personnel System (eCAPS)

Location: (Citywide)

Action: Adopted **Resolution No. 2009-475** authorizing the City Manager to execute Supplemental Agreement No. 6 to City Agreement No. 2006-1178 with Oracle, Inc., for the renewal of technical support services and software maintenance for the eCAPS system in an amount not to exceed \$568,000 for FY 2009/10.

Contact: Ignacio Estevez, Program Manager, (916) 808-7349, Steve Sneed, Interim Information Technology Manager, (916) 808-7987, Information Technology Department.

- 13. Agreement: Natomas Safe Routes to Schools Project (T15105000)**
Location: Bannon Creek Elementary School near Bannon Creek Drive and Azevedo Drive (Jefferson Elementary School near Pebblewood Drive and Azevedo Drive, and Natomas Park Elementary School near Crest Drive and North Bend Drive (District 1)
Action: Continued to September 8, 2009 to adopt a Resolution 1) establishing the project; 2) authorizing the City Manager to execute an agreement with Natomas Unified School District to provide preliminary engineering, environmental documentation, final design, and construction for the implementation of pedestrian and bicycle improvements for the three (3) schools; 3) appropriating \$1,000,000 (Fund 3702) to the project to match the Safe Routes to Schools grant funds; and 4) directing staff to amend the Capital Improvement Program revenue and expenditure budgets to appropriate \$996,000 (Fund 3703) to the project when the federal paperwork is approved.
Contact: Cecilyn Foote, Associate Civil Engineer (916) 808-6843, Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.
- 14. Annexation of a Portion of Capitol Avenue into the Winn Park Residential Permit Parking Area (T)**
Location: South side of Capitol Avenue, from 27th to 28th Street. Council District 3
Action: Adopted **Resolution No. 2009-477** annexing the south side of Capitol Avenue, from 27th to 28th Street, into the Winn Park Residential Permit Parking Area (T) and regulate with metered "Two Hour Parking, Except with Permit".
Contact: Dean Fujimoto, Operations General Supervisor, (916) 808-5579, Transportation Department.
- 15. Agreement: Sacramento Intermodal Track Relocation Project**
Location: Downtown Railyards (District 1)
Action: Adopted **Resolution No. 2009-478** authorizing execution of a Possession and Use Agreement for Parcel B with S. Thomas Enterprises of Sacramento, LLC to allow the City to control over Parcel B so the City can continue necessary activity while arbitration over the property's value continues.
Contact: Jon Blank, Supervising Engineer (916) 808-7923, Fran Halbakken, Operations Manager (916) 808-7194, Transportation Department.
- 16. Administrative Matter: Relocation of the Union Pacific Railroad Tracks**
Location: 7th Street and I Street Bridge (District 1)
Action: Adopted **Resolution No. 2009-479** 1) correcting an error in the description of the railroad listed in Resolution 2009-359 for the authorization to apply to the California Public Utilities Commission for an order authorizing the construction of railroad crossing related to the relocation of the Union Pacific Railroad Tracks; and 2) repealing Resolution 2009-359.
Contact: Jon Blank, Supervising Engineer (916) 808-7914, Transportation Department.

17. **Contract: Pocket Area Water Service Retrofit (Z14010013)**
Location: Various residential and commercial properties in the City of Sacramento (District 7)
Action: Adopt **Resolution No. 2009-480** 1) approving the contract plans and specifications; and 2) awarding the contract to Navajo Pipelines, Inc. to install water meters on existing water services within the City of Sacramento for an amount not to exceed \$1,109,915.
Contact: Michael Malone, Field Services Manager, (916) 808-6226, Craig Robinson, Water Distribution Superintendent, (916) 808-7334, Utilities Department.
18. **Contract: 12th and 13th Street Water Transmission Main Project – H Street to Q Street (Z14003800)**
Location: 12th and 13th Street from H Street to Q Street (Districts 1, 3 and 4)
Action: Adopt **Resolution No. 2009-481** 1) approving the contract plans and specifications; and 2) awarding the contract to Navajo Pipeline Inc. to replace an old deteriorated pipeline to help ensure a safe and reliable water supply for an amount not-to-exceed \$ 2,091,073.
Contact: David L. Brent, Engineering Manager, (916) 808-1420, Dan Sherry, Supervising Engineer, Utilities Department.
19. **Grant/Agreements: 2009-Solar America Cities Special Projects Grant Application**
Location: District 4
Action: Adopt **Resolution No. 2009-482** 1) authorizing the City Manager or authorized designee to submit an application for the 2009 Solar America Cities Special Projects Grant for an amount of up to \$400,000 for the installation of solar photovoltaic panels at the City's Department of Utilities Engineering and Administration Building; 2) appointing the City Manager and authorized designees as the City's agents with authority to conduct negotiations and execute and submit all documents, including, but not limited to, applications, contracts, amendments and payment requests, necessary to obtain the Grant funding, contingent on the City's receipt of the grant award; and 3) authorizing the City Manager to establish a grant project and related revenue and expenditure budgets for the grant amount and matching Utility funds contingent on the City's receipt of the grant award.
Contact: David L. Brent, Engineering Manager, (916) 808-1420 and Rick Matsuo, Supervising Engineering Services, Utilities Department.
20. **North Natomas Library: Interfund Loan of Development Impact Fees Pending Receipt of State Grant**
Location: District 1
Action: Adopt **Resolution No. 2009-483** approving an interfund loan of development impact fees as needed to continue work on the North Natomas Library pending reimbursements from State grant funds.
Contact: Mark Griffin, Fiscal Manager, (916) 808-8788; Leyne Milstein, Director, (916) 808-8491, Finance Department.

Public Hearings (Items 21 – 24)

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

21. **Estimated Time: 30 minutes**
Ordinance Amendment: Chapter 5.152 to the Sacramento City Code Relating to Unattended Donation Boxes and Establish Fees Pertaining to Unattended Donation Boxes (Passed for Publication on 7-14-09, published on 7-17, 09, Noticed on 7-16-09)
Location: (Citywide)
Action: Withdrawn by staff to conduct a public hearing and upon conclusion adopt 1) an Ordinance adding Chapter 5.152 to the Sacramento City Code relating to unattended donation boxes; 2) a Resolution establishing permit fees and registration fees for placement of unattended donation boxes.
Contact: Brad Wasson, Revenue Manager, (916) 808-5844, Finance Department, Bob Rose, Code Enforcement Manager, (916) 808-5947, Code Enforcement Department.
22. **Estimated Time: 10 minutes**
Delinquent Charges – Special Assessment Liens for Sidewalk Repair on Private Property and Related Costs (Noticed on 6-22-09)
Location: (Citywide)
Action: Moved/Seconded: Member Bonnie Pannell/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.
After no public comment a **motion passed** to close the public hearing and adopt **Resolution No. 2009-485**, placing special assessment liens on the listed properties for unpaid sidewalk repairs.
Contact: Brad Wasson, Revenue Manager, (916) 808-5844, Finance Department.
23. **Estimated Time: 10 minutes**
Delinquent Charges – Special Assessment Liens for Weed Abatement on Private Properties and Related Costs (Noticed on 6-22-09)
Location: (Citywide)
Action: Moved/Seconded: Member Sandy Sheedy/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.
After no public comment a **motion passed** to close the public hearing and adopt **Resolution No. 2009-486** placing special assessment liens on the listed properties for unpaid weed abatement services.
Contact: Brad Wasson, Revenue Manager, (916) 808-5844, Finance Department.

24. **Estimated Time: 15 minutes**
Delinquent Utility Service Charges-Special Assessment Liens on the Properties to which the Charges are Related
Location: (Citywide)

Action: Moved/Seconded: Member Lauren Hammond/Member Bonnie Pannell

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

After no public comment a **motion passed** to close the public hearing and adopt **Resolution No. 2009-487 as amended** placing special assessment liens on properties for unpaid Utility service charges.

Contact: Shelle Smallwood, Account and Billing Manager, (916) 808-4928, Jamille Moens, Business Services Division Manager, (916) 808-5988, Utilities Department.

Discussion Calendar/Staff Reports (Items 25 - 27)

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

25. **Estimated Time: 20 minutes**
Contracts: Water Meter Reading Automation [2/3 Vote Required] (Continued from 7-14-09)
Location: (Citywide)

Action: Continued to July 28, 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-

26. **Estimated Time: 10 minutes**
City of Sacramento Investment in State of California Registered Warrants
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 adopt **Resolution No. 2009-489 1)** approving the City Treasurer's investment of up to \$10 million to purchase State of California registered warrants (commonly referred to as IOUs) from City of Sacramento residents and businesses and 2) authorizing an administrative fee of up to \$2.00 per transaction to offset the cost of processing the investment transfer.

Contact: Russell Fehr, City Treasurer and John Colville, Senior Treasury Officer (916) 808-8297, Office of the City Treasurer.

27. Estimated Time: 45 minutes

Contract: Janitorial Services

Location: (Citywide)

Action: Moved/Seconded: Member Sandy Sheedy/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.

Public comment heard from Sylvia Ruz, Harold Switzer, Clemen Diaz, Bertha Lariz, Belinda Owens, and Lino Pedres; and a motion **passed** to reject all bids for janitorial services and directed staff to return to the Law and Legislation Committee with a proposed Special Ordinance for Janitorial Services to include a unique Living Wage provision and an augmentation of the State law mandate regarding the 60 day protected employment period.

Contact: Christine Slay, Program Analyst, Procurement Services, (916) 808-6344; Christopher Stewart, Procurement Services Manager, (916) 808-6202, General Services Department.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Kevin McCarty-refer Ordinance regarding Patient dumping to Law and Legislation Committee

2. Board and Commission Appointments

None

Adjourned- at 7:28 p.m. in memory of Obie V. Brandon (UFCW 588 member).