



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

DRAFT Minutes

Tuesday, February 17, 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 (3 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the end of the meeting 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 located in racks inside the chamber and should be completed and submitted to the 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 of 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.

Meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. (Check Listings)

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DRAFT Minutes

Tuesday, February 17, 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 - 2:00 p.m.

Roll Call Regular session called to order by Mayor Kevin Johnson at 2:03 p.m. Tuesday, February 17, 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

Consent Calendar (Items 1 - 17)

Action: Moved/Seconded: Member Robbie Waters/Member Sandy Sheedy

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

A motion **passed** to adopt the Consent Calendar in one motion except as indicated at each item.

1. **(City Council/ Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for February 3, 2009**

Location: (Citywide)

Action: Approved the afternoon and evening City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for February 3, 2009.

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

2. **2009 Updated Conflict of Interest Code**

Location: (Citywide)

Action: Continued to February 24, 2009.

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

3. Revised 2009 Regular Meeting Schedule for Sacramento City Council, Financing Authority, Housing Authority and Redevelopment Agency

Location: (Citywide)

Action: Adopted **Resolution No. 2009-082** 1) approving the revised 2009 regular meeting schedule for City Council, Financing Authority, Housing Authority and Redevelopment Agency; 2) affirming four weeks regular meetings will not be held; 3) eliminating the 2:00 p.m. regular meeting session; 4) affirming two meetings will be held on Thursdays; and 4) repealing Resolution No. 2009- No. 2008-708 adopted on November 6, 2008.

Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

4. (Housing Authority) Lease Amendment: Riverview Plaza Commercial Property

Location: 600 I Street (District 1)

Action: Adopt a **Housing Authority Resolution No. 2009-001** authorizing the Executive Director or her designee to execute an amendment to extend the lease with Phoenix Schools Inc. for an additional seven years, four months for the Riverview Plaza commercial property.

Contact: Nick Chhotu, Assistant Director of Public Housing, (916) 440-1334, Sacramento Housing and Redevelopment Agency.

5. Grant Application: Local Housing Trust Fund Program

Location: (Citywide)

Action: Adopted **City Resolution No. 2009-083** authorizing the Executive Director or her designee to: 1) submit an application to the California Department of Housing and Community Development (HCD) for funding under the program; 2) execute a Standard Agreement for such funding and any amendments thereto; 3) execute any related documents necessary to participate in the program; 4) adopt local guidelines for implementation of the program; and 5) amend the Agency Budget to receive and expend not more than \$2,000,000 in Local Housing Trust Fund Program funding for multifamily housing activities if the application is awarded.

Contact: Cindy Cavanaugh, Assistant Director, (916) 440-1317, Emily Halcon, Management Analyst, (916) 440-1399, ext. 1420, Sacramento Housing and Redevelopment Agency.

6. **Grant/Agreement: Office of Juvenile Justice Delinquency Prevention (OJJDP) Gang Prevention Coordination Assistance Program.**

Location: (Citywide)

Action: Adopted **Resolution No. 2009-084** 1) authorizing the City Manager or his designee to submit an application to the United States Department of Justice for an OJJDP Gang Prevention Coordination Assistance Program Grant for an amount not to exceed \$200,000 for gang prevention coordination efforts, 2) authorizing the City Manager or designated appointee to execute all necessary agreements, establish related revenue and expenditure budgets for the grant funds, and appropriate the grant funds contingent on receipt of award.

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

7. **(City Council/Redevelopment Agency) Agreement: Docks Riverfront Promenade Project-Phase I**

Location: Sacramento Riverfront from O Street to R Street (District 1)

Action: Adopted 1) **City Resolution No. 2009-085** a) approving and authorizing the City Manager to enter into an agreement between the City of Sacramento and the California Department of Parks and Recreation for the project to allow the relocation of rail line and related improvements; and b) authorizing the City to accept property from the Agency for the project; and 2) **Redevelopment Agency Resolution No. 2009-011** authorizing the Executive Director or her designee to convey property to the City of Sacramento for project. **CO 2009-0162**

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

8. **Rapton Auto Dealership - Temporary Rent Reduction/Stoplight Payment Plan**

Location: Business 80 at Fulton Avenue (District 2)

Action: Adopted **Resolution No. 2009-086** authorizing the City Manager to reduce the monthly rent to be paid to the City from Rapton Auto Dealership from \$54,313.83 to \$44,313.83 for a duration of one year and allows Rapton to pay its \$100,000 contribution toward the cost to construct a stoplight at the site, currently due in March 2009, in two equal payments of \$50,000, one in March 2009 and the other in March 2010. **CO 2009-0163**

Contact: James R. Rinehart, Citywide Division Manager, (916) 808-5054, Economic Development Department.

9. **Purchase/Cooperative Agreement: Valley Hi North Laguna Library Project (B13000800)**
Location: 7320 Cotton Lane (District 8)
Action: Adopted **Resolution No. 2009-087** 1) approving the use of cooperative purchasing agreement No. RQ07-878957-20 through US Communities for the purchase of Knoll, Inc. furniture and related services for the project in an amount not to exceed \$140,322; and 2) authorizing the City Manager or the City Manager's designee to issue purchase orders under the referenced cooperative purchasing agreement in an amount not to exceed \$140,322 through January 31, 2010 or until the contract is no longer available for use by the City provided that sufficient funds are available in the project budget.
Contact: Yadi Kavakebi, Facilities Superintendant, (916) 808-8432, Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.
10. **Wild Rose Park (L19187000)**
Location: 5200 Kankakee Drive (District 1)
Action: Adopted **Resolution No. 2009-088** 1) approving the name "Wild Rose Park"; 2) adopting the addendum to the Mitigated Negative Declaration and the Mitigation Monitoring Plan for Wild Rose Park; and 3) approving the Wild Rose Park Master Plan.
Contact: Steven Giguere, Associate Landscape Architect, (916) 808-8354, J. P. Tindell, Park Planning and Development Services Manager, (916) 808-1955, Parks and Recreation Department.
11. **Ordinance: Refund of Parkland Dedication Fees** (Passed for Publication on 2-10-09, Published on 2-13-09)
Location: (Citywide)
Action: Adopted **Ordinance No. 2009-009** amending Section 16.64.030 of the Sacramento City Code to allow the refund of parkland dedication fees under certain circumstances.
Contact: Mary de Beauvieres, Principal Planner, (916) 808-8722, J. P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.
12. **Agreement: Natomas Unified School District**
Location: (District 1)
Action: Adopted **Resolution No. 2009-089** 1) authorizing the City Manager or the City Manager's designee to terminate City Agreement No. 2001-195, the existing master joint use agreement with the Natomas Unified School District; and 2) authorizing the City Manager or the City Manager's designee to execute a new master joint use agreement with the Natomas Unified School District allowing use of each others' facilities. **CO 2009-0164**
Contact: David Mitchell, Operations Manager, (916) 808-6076, Parks and Recreation Department.

- 13. Transportation Development Act Claim Packet for FY2008/09**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-090** 1) approving a Transportation Development Act claim for reimbursement in the amount of \$324,745 for various bicycle and pedestrian facilities in FY2008/09; and 2) authorizing the City Manager to execute and submit the Transportation Development Act claim in the amount of \$324,745 for FY2008/09 to the Sacramento Area Council of Governments for approval and reimbursement to Transportation Development Act Funds, Fund 2013.
Contact: Jay Proffitt, Program Specialist, (916) 808-8825, J.P. Tindell, Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.
- 14. Natomas Basin Habitat Conservation Fee**
Location: North and South Natomas (District 1)
Action: Received and filed.
Contact: Scot Mende, New Growth Manager, (916) 808-4756, Carol Shearly, Director of Planning, (916) 808-5393, Planning Department.
- 15. Agreements: I-5/Cosumnes River Boulevard Extension and Interchange Project (T15018000)**
Location: Along Interstate 5, one mile south of Pocket Road/Meadowview Road in the Pocket and Airport Meadowview Planning Areas (Districts 7 and 8)
Action: Adopted 1) **Resolution No. 2009-091** authorizing the City Manager to execute a Freeway Maintenance Agreement and 2) **Resolution No. 2009-096** authorizing the City Manager to execute a Freeway Agreement with Caltrans for the project. **CO 2009-0165 and 2009-0166**
Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035; Tim Mar, Supervising Engineer (916) 808-7531, Transportation Department.
- 16. Florin and Meadowview Station Area Concept Plans & Design Guidelines**
Location: (Districts 5 and 8)
Action: Adopted 1) **Resolution No. 2009-092** accepting the development program, conceptual design and design guidelines for the Florin Road Light Rail Station area as designated, and 2) **Resolution No. 2009-093** accepting the development program, conceptual design and design guidelines for the Meadowview Road Light Rail Station area as designated.
Contact: Fedolia “Sparky” Harris, Senior Planner, (916) 808-2996, Transportation Department.

17. **2009 State and Federal Legislative Platform and Legislative Guiding Principles**
Location: (Citywide)

Action: Approved the proposed 2009 State and Federal Legislative Platform and reaffirmed the City of Sacramento Legislative Guiding Principles.

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

Public Hearings (Item 18)

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

18. **North Natomas Nexus Study and Financing Plan 2008 Update** (Noticed on 10-17-08 and 10-24-08, continued from 12-2-09, Continued from 1-20-09)
Location: (District 1)

Action: Withdrawn and will be re-noticed for a future date.

Contact: Mark Griffin, Fiscal Manager, (916) 808-8788, Caroly Shearly, Director (916) 808-5893, Planning Department.

Staff Reports (Items 19 and 20)

Staff reports include an oral presentation including those recommending receive and file.

19. **Report Back: Sacramento Charter Review Committee [To Be Delivered]**
Location: (Citywide)

Action: Moved/Seconded: Member Kevin McCarty/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

A motion **passed** after to adopt **Resolution No. 2009-095 as amended** approving the formation of the 2009 Sacramento City Charter Review Committee.

Contact: Eileen Teichert, City Attorney, Matthew Ruyak, Supervising Deputy City Attorney, (916) 808-3546, Office of the City Attorney.

20. **Informational Workshop: Delta Vision Strategic Plan**
Location: (Citywide)

Action: Received and filed.

Contact: Dave Brent, Engineering Services Manager, (916) 808-1420, Dan Sherry, Special Projects Engineer, (916) 808-1419, Utilities Department.

Public Comments-Matters Not on the Agenda

Closed Session

City Council

- a) Pursuant to Government Code section 54956.8 for a matter pertaining to real property negotiations. Authorization to negotiate with Suheil Totah of Thomas Enterprises for the acquisition of property within the Union Pacific Railyards, including all or portions of the following Assessors Parcel Numbers: 002-0010-044 and 002-0010-046. The purpose is to confer with the City's chief negotiators, Bill Sinclair and Marty Hanneman, regarding the price, terms and conditions of the acquisition

Action: Withdrawn by the City Attorney.

- b) Pursuant to Government Code section 54956.9 (c), pertaining to the initiation of litigation. One potential case.

Action: Withdrawn by the City Attorney.

Recessed- 3:55 p.m.

Reconvene – 6:00 p.m.

Roll Call A regular meeting of the Sacramento City Council was reconvened by Mayor Johnson at 6:03 p.m. Tuesday, February 17, 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 None.

Special Presentations/General Communications

a. **Recognition of the Freedom's Sisters Essay Contest Winners**

Action: Winners announced by Mary Majeras.

Public Hearings (Items 21)

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

21. Shovel-Ready Sites Program Funding (S21001300) (Noticed on 1-15-09, Continued from 1-27-09)

Location: (Citywide)

Action: Moved/Seconded: Member Bonnie Pannell/Member Sandy Sheedy

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 March 17, 2009.

Contact: Desmond Parrington, AICP, Infill Coordinator, Planning, (916) 808-5044, Carol Shearly, Director of Planning, (916) 808-5893, Planning Department and David Spaur, Economic Development Director, (916) 808-8196, Economic Development Department.

Staff Reports (Items 22 and 25)

Staff reports include an oral presentation including those recommending receive and file.

22. McKinley Village (P08-086) (Noticed as a Courtesy on 1-9-09) (Continued from 1-20-09)

Location: North of Union Pacific/Southern Pacific Railroad, south of Business 80, east of Alhambra Boulevard, and west of Lanatt Street (District 3)

Action: Continued to March 10, 2009.

Contact: Steven Kerr, Assistant Planner, (916) 808-5416, Stacia Cosgrove, Senior Planner, (916) 808-7110, Development Services Department.

23. **Presentation on the Internal Audit Report, Inventory Processes and Inventory Reports, Department of Utilities**
Location: (Citywide)
Action: Received and filed.
Contact: Marty Kolkin, City Auditor, (916) 808-5704, Office of the City Manager.
24. **The Annual Internal Audit Workplan for Calendar Year 2009**
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
Public comment heard by Bill Grant and a motion **passed** to 1) adopt **Resolution No. 2009-094 as amended** changing the source of funding for the Staff Auditor Full Time Equivalents; and 2) directed the City Auditor to return on **February 24, 2009** with the annual internal audit workplan for Calendar Year 2009.
Contact: Marty Kolkin, City Auditor, (916) 808-5704, Office of the City Manager
25. **Report Back: Freeport Regional Water Project-Extended Work Hours**
Location: (District 7)
Action: Moved/Seconded: Member Robbie Waters/Member Steve Cohn
Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson
Abstain: Member Bonnie Pannell
Public Comment heard from Don Bryant, Scott Huther, Kathi Windheim, Irma Burgos, Leonor Alvarez, Tricia Nevis, Laura Kneppel, Shari Kawelo, Nathan Cox, Scott Shaw, Michelle Cummings, Don Nevis, Mary McDonald, Greg Hatfield, Betsy Weiland and a motion **passed to deny** the request from Freeport Regional Water Authority (FRWA) to extend work hours at the Freeport Regional Water Project intake site from 6:00 p.m. to 10:00 p.m.
Contact: David L. Brent, Engineering Services Manager, (916) 808-1420, Jim Peifer, Senior Engineer, (916) 808-1416, Utilities Department.

Mayor/Council Requested Discussion (Item 26)

This item was previously requested under Council Comments-Ideas, Questions, and Meeting/Conference Reports

26. **Mayor/Council Office Salary Discussion**
Location: (Citywide)
Action: Discussed various options for budget savings in Mayor/Council Offices to return at a future date for further discussion.
Contact: Mayor Kevin Johnson, (916) 808-5407

Public Comments-Matters Not on the Agenda

- a. Bill Grant- Senior Issues and Auditors

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

a. Board/Commission Appointments

1. Sacramento Area Council of Government (SACOG)
 - a. Member Lauren Hammond-Alternate
2. 65th Street Redevelopment Advisory Committee
 - a. Michael Klein
3. Ann Land/Bertha Henschel Memorial Fund
 - a. Ellen Powell
 - b. Raynell Hamilton
4. Board of Plumbing Examiners
 - a. Harry Duane Moos
5. Community Racial Profiling Committee
 - a. Terilyn Jackson
6. Design Commission
 - a. Phyllis Newton
 - b. David Nybo
7. Youth Commission
 - a. Ade Webster Jackson
8. Small Business Development and Employment Advisory Board
 - a. Philip D. Thorne

b. Reports Backs

1. Member Tretheway-Collaboration with Sacramento County Air Quality District, Sacramento Municipal Utility District, and Pacific Gas & Electric regarding the City's Carbon Footprint

Adjourned- at 10:44 p.m. in memory of Carol Lawrence.