



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

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, September 29, 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.

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, September 29, 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, September 29, 2009 at the Sacramento City Hall Council Chamber.

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

Absent: Member Steve Cohn arrived at 6:08 p.m.

Pledge of Allegiance – led by Member Bonnie Pannell.

Closed Session Report – None.

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

1. Greenwaste Containers
 - a. Jeremy Brickner
2. Bid Process for Auto Parts
 - a. Norman Gentry
3. Safe Ground and Homelessness
 - a. Carol Carlile
 - b. Milton Harris
 - c. Tracie Bailey
 - d. James Gilland
 - e. Ken Dodge
 - f. John Krantz
4. Mayor Johnson support of Arts Fundraiser
 - a. Mark Marshall
 - b. James Nunex,
 - c. D'Prehtes Turner
5. All Nations Church Project
 - a. Ron Emslie
6. Medical Marijuana using Helicopter Surveillance
 - a. Rev Ashiya Odeye'

Consent Calendar (Items 1 - 18) **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. **(City Council/Financing Authority/Housing Authority/Redevelopment Agency) Approval of Minutes for September 18, 2009.**

Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for September 18, 2009.

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

2. **Confirmation of Standing Committee Appointment** (Continued from 9-15-09)

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, Robbie Waters and Mayor Kevin Johnson

A motion **passed** with public comment heard from Bill Camp, Rev Ashiyo Odeye, Ryan landers, and Lenette Davies, to approve 1) no change to Personnel and Public Employee Committee current appointments; 2) no change to Law and Legislation Committee current appointments; and 3) appointments confirmed to the Audit Committee: a) Steve Cohn, (Chair), b) Lauren Hammond; c) Robbie Waters; and d) Ray Tretheway.

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

3. **Sacramento Archives and Museum Collection Center (SAMCC)**

Location: 551 Sequoia Pacific Boulevard (District 1)

Action: Adopted **Resolution No. 2009-605** 1) approving the name change of the Sacramento Archives and Museum Collection Center to The Center for Sacramento History, and 2) approving revisions to the City's Collection Policy.

Contact: Marcia Eymann, History Manager, (916) 264-5960, Barbara Bonebrake, Director, Convention, Culture & Leisure, (916) 808-7733, Convention, Culture and Leisure Department.

4. **Grant/Agreements: FY2009/10 Arts Stabilization Grants Program**

Location: City and County of Sacramento (Citywide)

Action: Adopted **Resolution No. 2009-606** 1) authorizing the allocation of an amount not to exceed \$100,000 to fund artists, arts groups and arts organizations through the various Arts Stabilization grants and programs through June 30, 2010, and 2) approving and authorizing the City Manager, or the City Manager's designee, to execute agreements with the grantees for award amounts not to exceed \$5,000 per grantee.

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

5. Order of Succession for the City Manager

Location: (Citywide)

Action: 1) Adopted **Resolution No. 2009-607 as amended** establishing the order of succession in the event of absence or disability of the City Manager; and 2) repealing Resolution No. 2006-628.

Contact: Mark Prestwich, Special Projects Manager, (916) 808-5380, Office of the City Manager.

6. (Pass for Publication) Shovel Ready Priority Areas and Program Implementation

Location: (Citywide)

Action: 1) Reviewed a) Resolution approving the transfer of \$876,805 from the Infill Fee Reduction Program and Low Income Fee Waiver/Deferral Program to the Shovel-Ready Sites Program; approving Tier 1 and Tier 2 opportunity areas; directing staff to initiate a Shovel-Ready MATRIX program; and directing staff to develop a Strategic Investment Plan; and b) an Ordinance amending Sections 17.191.050 and 17.195.060 of Title 17 of the Sacramento City Code (Zoning Code) relating to the Infill Fee Reduction Program and Low Income Fee Waiver/Deferral Program; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted October 6, 2009.

Contact: Desmond Parrington, AICP, Infill Coordinator, (916) 808-5044, David Kwong, Planning Director, (916) 808-2691, Leslie Fritzsche, Downtown Redevelopment Manager, (916) 808-5450, and Jim Rinehart, Citywide Economic Development Manager, (916) 808-5054, Economic Development Department.

7. Sewer Credit Approval: Village at Washington Park

Location: O and 17th Streets (District 4)

Action: Adopted **Resolution No. 2009-608** awarding a total of 39.0 Sacramento Regional County Sanitation District (SRCSD) connection fee credits to the described project known as the Village at Washington Park.

Contact: Trevor Walton, Program Specialist, (916) 808-6764, Economic Development Department.

8. Agreement: Chemical Spill at Del Paso Regional Park

Location: 3615 Auburn Boulevard (District 2)

Action: Adopted **Resolution No. 2009-609** authorizing the City Manager or his designee to execute a General Release Agreement releasing Siemens Water Technologies Corp from all claims and liabilities arising out of the May 30, 2007, chemical spill at Del Paso Regional Park in exchange for payment of the sum of \$18,557.50.

Contact: Dan Giammona, Park Operations Manager, (916) 808-4070, Barbara Collins, Administrative Analyst, (916) 808-1956, Parks and Recreation Department.

- 9. Grant Application: Recreational Trails Program**
Location: Near Freeport/Meadowview Intersection (Districts 7 and 8)
Action: Adopted **Resolution No. 2009-610** 1) authorizing the City Manager or his authorized designee to execute and submit a California Department of Parks and Recreation (“CDPR”) Recreational Trails Program Grant (“RTP”) application in the amount up to \$300,000 for development of an off-street bike trail along Freeport Boulevard; 2) authorizing the City Manager or his authorized designee to execute the required CDPR RTP grant contract, including any amendments thereto, subject to approval as to form by the City Attorney, any and all other documents required or deemed necessary or appropriate to secure a RTP grant from CDPR, to establish a CIP and related revenue and expenditure budgets for the grant funds, and to appropriate the grant funds, contingent upon approval of the application; 3) requiring staff to return to Council if there is any significant change in requested dollar amounts, either grant or match; and, 4) approving the Resolution required by the CDPR.
Contact: Camille Wise, Resource Development Specialist, (916) 808-8830, Ed Cox, Bike and Pedestrian Coordinator, (916) 808-8434, Parks and Recreation Department.
- 10. Grant: Northern California Regional Public Safety Training College (NCRPSTC) Joint Powers Authority (JPA) FY2009/10 Annual Budget**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-611** 1) authorizing the City Manager or designee to approve the NCRPST -JPA FY2009/10 Budget, in the amount of \$7,080,632; and 2) authorizing the City Manager or designee to approve payment to the JPA for the use of rental space in the amount of \$275,956.
Contact: Steve Quinn, Lieutenant, (916) 566-6565, NCRPSTC Joint Powers Authority.
- 11. Change Order: R Street Bridge Conversion Project (K15030000)**
Location: R Street Bridge between 2nd Street and Front Street (District 1)
Action: Adopted **Resolution No. 2009-612** 1) authorizing the City Manager to execute Change Order No. 2 to City Agreement 2009-0436 with Lund Construction to perform additional work to complete the project in the amount of \$42,646, and 2) resetting the City Manager’s Change Order authority.
Contact: Salam Shehadeh, Associate Engineer, (916) 808-8299, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.
- 12. Railyards Transit Oriented Development (TOD) Capital Improvement Project (CIP)(T15029050)**
Location: (District 1)
Action: Adopted **Resolution No. 2009-613** 1) establishing the project; and 2) establishing a \$17 million revenue and expenditure budget in the project for the State Proposition 1C - Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) grant funds (Fund 3704).
Contact: Fran Halbakken, Operations Manager, (916) 808-7194, Transportation Department.

- 13. Highway Safety Improvement Program (HSIP) Application**
Location: 12th Street Corridor (District 1)
Action: Adopted **Resolution No. 2009-614** approving the submission of an application for HSIP funding for traffic signal and safety improvements along the 12th Street Corridor.
Contact: Evangeline Lucas Lee, Associate Engineer, (916) 808-7612, Lucinda Willcox, Program Manager, (916) 808-5052, Department of Transportation.
- 14. August 2009 Monthly Investment Transactions Report**
Location: (Citywide)
Action: Received and filed.
Contact: Lydia Abreu, Investment and Operations Manager, (916) 808-7746, Shirley Tupaz, Investment Operations Analyst, (916) 808-8295, Office of the City Treasurer.
- 15. Contract: American Recovery And Reinvestment Act (ARRA) Water Meter Retrofit Project Phase 5 (Z14010000)**
Location: Residential and commercial properties in the City of Sacramento (District 2)
Action: Continued to **October 6, 2009** to adopt a Resolution awarding the contract for Phase 5 of the Water Meter Retrofit project to WR Forde Associates to install 2,421 meters on unmetered residential and commercial water services within the project area for an amount not to exceed \$2,568,390.
Contact: David L. Brent, Engineering Services Manager, (916) 808-420, Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.
- 16. Contract: American Recovery And Reinvestment Act (ARRA) Water Meter Retrofit Project Phase 6 (Z14010000)**
Location: Residential and commercial properties in the City of Sacramento (District 1)
Action: Continued to **October 27, 2009** to adopt a Resolution awarding the contract for Phase 6 of the Water Meter Retrofit project to WR Forde Associates to install 1,045 meters on unmetered residential and commercial water services within the project area for an amount not to exceed \$1,113,400.
Contact: David L. Brent, Engineering Manager, (916) 808-420; Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.
- 17. Update: Funds Received through American Recovery and Reinvestment Act of 2009**
Location: (Citywide)
Action: Received and filed.
Contact: Michelle Heppner, Special Projects Manager, (916) 808-1226, Office of the City Manager.

18. Responses to the Findings and Actions of the 2008-09 Sacramento County Grand Jury Final Report (Continued from 9-22-09)

Location: (Citywide)

Action: Approved responses to the findings and Actions contained in the 2008-09 Sacramento County Grand Jury Final Report.

Contact: Patti Bisharat, Director of Government Affairs, (916) 808-8197, Office of the City Manager.

Public Hearings (Item 19)

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

19. Estimated Time: 1 minute

Ordinance: Shovel Ready Priority Areas and Program Implementation (Noticed 9-16-09)

Location: (Citywide)

Action: Moved/Seconded: Member Bonnie Pannell/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

A motion **passed** to continue to **October 6, 2009**.

Contact: Desmond Parrington, Program Specialist, (916) 808-5044, Planning Department.

Discussion Calendar/Staff Reports (Items 20 - 23)

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

20. Estimated Time: 15 minutes

(Pass for Publication) Repeal and Re-Enact City Code Chapter 2.60 Relating to the Planning Commission (M09-033)

Location: (Citywide)

Action: Moved/Seconded: Member Robert King Fong/Member Sandy Sheedy

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

Abstain: Member Lauren Hammond

A motion **passed** to 1) review an Ordinance to repeal and re-enact City Code Chapter 2.60 and amending section 2.40.030 relating to the Planning Commission; and 2) passed for publication of title as required by Sacramento City Charter 3(c) to be adopted on **October 13, 2009**; and 3) direct staff to modify the recommended Ordinance to allow for 11 committee members including two at large appointments selected by the Personnel and Public Employees Committee with Councilmembers and Mayor each selecting one City resident to the Committee.

Contact: Stephanie Mizuno, Assistant City Clerk, Office of the City Clerk, (916) 808-7200, David Kwong, Planning Director, (916) 808-2691, Community Development Department.

21. **Estimated Time: 15 minutes**
(Pass for Publication) Repeal and Re-enact City Code Chapter 2.62 Relating to the Parks and Recreation Commission
Location: (Citywide)

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

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

Abstain: Member Lauren Hammond

A motion **passed** to 1) review an Ordinance to repeal and re-enact City Code Chapter 2.62 relating to the Parks and Recreation Commission; and 2) passed for publication of title as required by Sacramento City Charter 3(c) to be adopted on **October 13, 2009**; and 3) direct staff to a) modify the recommended Ordinance to allow for 11 committee members including two at large appointments selected by the Personnel and Public Employees Committee with Councilmembers and Mayor each selecting one City resident to the Committee and b) return with an implementation timeline.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk, Lori Harder, Parks Support Services Manager, (916) 808-5172, Parks and Recreation Department.

22. **Estimated Time: 20 minutes**
Resolution of Intention: Assembly Bill 811 Contractual Assessment Program to Finance Energy Efficiency Improvements and Distributed Renewable Energy Generation
Location: (Citywide)

Action: Moved/Seconded: Member Kevin McCarty/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** 1) to adopt **Resolution No. 2009-617** of Intention to form an AB 811 contractual assessment district to finance energy efficiency improvements and distributed renewable energy generation for City of Sacramento residents; 2) directing staff to prepare and bring back a report, for Mayor and Council approval, which will include information on the program administration, legal, and financial details as required by AB 811.

Contact: Yvette Rincon, Sustainability Program Manager, (916) 808-5827, General Services Department.

23. **Estimated Time: 15 minutes**
Grant: Closed Circuit Television Project
Location: Sacramento Regional Urban Area

Action: Moved/Seconded: Member Robbie Waters/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** with public comment heard from Jim Updegraff, Rev Ashiyo Odeye, Depra Reiger, Lanette Davies, Cres Vellucci, Daniel Barak, Carol Velarde, Allen Asch, and CT Weber; 1) to adopt **Resolution No. 2009-618** a) authorizing the City Manager or the Chief of Police as his designee, to accept \$614,964 in FY08 Department of Homeland Security Grant funding from the California Emergency Management Agency; b) authorizing the City Manager or designee to increase the Police Department's Grant Operating and Grant Revenue budgets by \$614,964; c) authorizing the City Manager or designee on behalf of the City of Sacramento, to enter into agreements or memorandums of understanding, as necessary, to the project; and 2) directing staff to: a) return with an implementation policy before committing funds and b) report back annually for evaluation of the success of the program.

Contact: Tom Sweeney, Lieutenant, (916) 874-2172, Police Department.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Lauren Hammond-Timeline on Status of 3301 5th Avenue Building
- b. Sandy Sheedy-Workshop on the Status of the Arena issue

2. Board and Commission Appointments

None.

Adjourned - at 8:10 p.m.