



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

# **DRAFT Minutes**

**Tuesday, September 8, 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 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, September 8, 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, 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: 6<sup>th</sup> Street Water Transmission Main Project (Z14004400)**  
**Location:** 6<sup>th</sup> 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: 45<sup>th</sup> Street Water Transmission Main Project (Z14005100)**  
**Location:** 45<sup>th</sup> 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 25<sup>th</sup> 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.