



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

DRAFT Minutes

Tuesday, June 9, 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 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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DRAFT MINUTES

Tuesday, June 9, 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, June 9, 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 Pannell.

Closed Session Report – None.

Special Presentations/General Communications

a. Recognizing the World Sports Cupstacking Championship

Action: Award, Certificate and Two Hundred Dollar check presented by Member Sheedy to Paula Cook.

b. Youth of the Month

Action: Resolution presented by Member Hammond to Molly Hitchings.

c. Honoring the Historic Rose Garden as a Recipient of the Great Rosarians of the World Lectureship Award

Action: Resolution presented by Member Fong to Barbara Oliva, Curator, Historic Rose Garden.

In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.

Public Comments-Matters Not on the Agenda - None.

Consent Calendar (Items 1-19) Estimated Time: 5 minutes

Action: Moved/Seconded: Member Waters/Member 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 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 May 26, 2009**
Location: (Citywide)
Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for May 26, 2009.
Contact: Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk.
- 2. Confirmation of Board and Commission Appointments**
Location: (Citywide)
Action: Confirmed board/commission appointments to the: 1) Sacramento City/County Bicycle Advisory Committee – F. Jordan Lang (Category A) and Glenda Marsh (Category A); 2) Sacramento Housing & Redevelopment Commission – Louis H. Morton (Category A-1) and 3) Small Business Development & employment Advisory Board – Elizabeth Cantu (Category A).
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk.
- 3. Open an Application Period for the Downtown/Riverfront Streetcar Policy Steering Committee**
Location: (Citywide)
Action: Opened an application period for the Downtown/Riverfront Streetcar Policy Steering Committee to open 06/10/09 with applications due 07/10/09.
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.
- 4. (Redevelopment Agency) Exclusive Right To Negotiate (ERN)/Amendment: 800 K/L Site**
Location: 800-816 K Street and 809-815 L Street (District 1)
Action: Adopted **Redevelopment Agency Resolution No. 2009-036 as amended** authorizing the City Manager, acting on behalf of the Agency, to execute amendments and extend by 45 days the term of the ERNs with USA Hospitality, Inc., for the Agency-owned properties on the 800 blocks of K and L streets. This recommendation does not include either project approval or a commitment of funding or assistance.
Contact: Denise Malvetti, Senior Project Manager, (916) 808-7064 and Leslie Fritzsche, Downtown Development Manager, (916) 808-5450, Economic Development Department.
- 5. Agreement: Panhandle (M05-031 / P05-077) (Continued from 6-2-09) [To Be Delivered]**
Location: South of Elkhorn Boulevard, north of Del Paso Road, west of Sorento Road (District 1)
Action: **Continued to July 14, 2009 a Resolution** approving a tax-exchange agreement between the City and the County of Sacramento relating to a proposed annexation of land in the Panhandle area to the City of Sacramento.

Contact: Scot Mende, New Growth Manager, (916) 808-4756, Community Development Department and Leyne Milstein, Finance Director, (916) 808-8491, Finance Department.

6. **Annual Report: Fiscal Year (FY) 2009/10 Laguna Creek Maintenance District**
Location: North of Sheldon Road between Franklin Boulevard and Bruceville Road (District 8)

Action: Adopted **Resolution No. 2009-363** adopting the Laguna Creek Maintenance District Annual Budget and levy the assessment for FY 2009/10.

Contact: Brian Wong, Program Specialist, (916) 808-5778, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

7. **Annual Report: Fiscal Year (FY) 2009/10 Old Sacramento Maintenance District**
Location: Front and 2nd Streets between I and L Streets (District 1)

Action: Adopted **Resolution No. 2009-364** adopting the Old Sacramento Maintenance District Annual Budget and establishing fees for FY2009/10.

Contact: Jodie Vong, Administrative Analyst, (916) 808-8243, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

8. **Depot Utilities and California Environmental Quality Act (CEQA) Railyards Litigation**

Location: Downtown Railyards (District 1)

Action: Adopted **Resolution No. 2009-365** authorizing payments to Thomas Enterprises, Inc. (TEI) and City vendors owed payment by TEI for the Railyards CEQA litigation, in the total amount of \$124,699.06.

Contact: Bill Sinclair, Program Manager, (916) 808-1905, General Services Department, Sheryl Patterson, Senior Deputy City Attorney, (916) 808-7292, Office of the City Attorney.

9. **ICMA-Retirement Corporation 457 Loan Program for City of Sacramento Employees**

Location: (Citywide)

Action: Adopted **Resolution No. 2009-366** establishing the ICMA-Retirement Corporation 457 Loan Program for City of Sacramento employees.

Contact: Kimberly Isaacs, Human Resources Manager, Benefits & Retirement (916) 808-7657, Human Resources Department.

10. **Agreement: Crystal and NVision Reports for the Electronic Accounting and Personnel System**

Location: (Citywide)

Action: Adopted **Resolution No. 2009-367** authorizing the City Manager or designee to execute a professional services agreement with J A Frasca and Associates for on-call consulting services to design, develop, and implement Crystal and nVision reports for the City's eCAPS for an annual amount not to exceed \$85,000, with an option to extend the agreement for four additional one year terms.

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

11. Agreement: Law Enforcement Services
Location: (Citywide)

Action: Adopted **Resolution No. 2009-368** 1) authorizing the City Manager, or his designee, to enter into an agreement with the Sacramento Regional Transit District for assignment of City employees to provide law enforcement services effective from July 1, 2009, through June 30, 2011, in an amount of \$6,073,197, and, 2) increasing the Police Department's externally funded program revenue and expenditure budgets by \$6,073,197.

Contact: Mike McCarthy, Captain, (916) 808-0741, Police Department.

12. California Emergency Management Services' Project Safe Neighborhood/Anti-Gang Initiative Program
Location: (Citywide)

Action: Adopted **Resolution No. 2009-369** authorizing the City Manager, or his designee, to apply for \$120,731 in federal grant funding through the California Emergency Management Services' Project Safe Neighborhood/Anti-Gang Initiative Program.

Contact: David Johnson, Lieutenant, (916) 808-0652, Police Department.

13. Application for and Acceptance of the U.S. Department of Justice, Edward Byrne Memorial Justice Assistance Grant
Location: (Citywide)

Action: Adopted **Resolution No. 2009-370** 1) authorizing the City Manager, or his designee, to apply for, on behalf of the City of Sacramento a \$614, 921 grant from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance; 2) authorizing the City Manager, or his designee, to accept on behalf of the City of Sacramento a grant of \$614, 921 from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance, and 3) increasing the Police Department's grant expense and grant revenue budgets in the amount of \$614,921.

Contact: Capt. Jim Maccoun, (916) 808-0441, Police Department.

14. Grant: FY08/09 Citizen's Option for Public Safety (COPS) Externally Funded Program
Location: (Citywide)

Action: Adopted **Resolution No. 2009-371** 1) authorizing the City Manager, or his designee, to accept \$758,573 in grant funding from the State of California's Citizen Option for the program; 2) increasing the Police Department's Grant Operating and Grant Revenue budgets in an amount of \$758,573.

Contact: Jim Maccoun, Captain, (916) 808-0841, Police Department.

15. **Contract: McKinley Area Streetlight Replacement Project (T15073201)**
Location: District 3
Action: Adopted **Resolution No. 2009-372** 1) approving plans and specifications for the project; and 2) awarding the construction contract to Pacific Excavation to replace or refurbish existing lights in an amount not to exceed \$308,683.
Contact: Sompol Chatusripitak, Senior Electrical Engineer, (916) 808-5961, Transportation Department.
16. **Supplemental Agreements: Traffic Data Collection (S15071102)**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-373** authorizing the City Manager to execute Supplemental Agreements to perform required data collection for traffic investigations, the Neighborhood Traffic Management Program and other Department of Transportation projects and programs on an as-needed basis 1) Supplemental No. 1 to City Agreement No. 2008-0304 for an amount not to exceed \$85,000 with All Traffic Data for a total contract amount not to exceed \$160,000; and 2) Supplemental Agreement No. 1 to City Agreement No. 2008-0269 for an amount not tot exceed \$85,000 with Traffic Research & Analysis for a total contract amount not to exceed \$150,000.
Contact: Angie Louie, Senior Engineer, (916) 808-8365, Hector Barron, City Traffic Engineer, (916) 808-2669, Transportation Department.
17. **Summary Vacation of a Portion of the Public Right-of-Way**
Location: 30 feet of Right-of-Way of Rose Street, North of Blaine Avenue West of Rio Linda Boulevard (District 2)
Action: Adopted **Resolution No. 2009-374** vacating a portion of the public right-of-way on Rose Street.
Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918, Thomas Adams, Engineering Technician, (916) 808-7929, Transportation Department.
18. **Cosumnes River Boulevard Streetscape Mitigation Project (R15105000)**
Location: Cosumnes River Boulevard between Franklin Boulevard and Center Parkway (District 7)
Action: Adopted **Resolution No. 2009-375** establishing Cosumnes River Streetscape Mitigation as a new Capital Improvement Project (R15105000), and 2) appropriating funds.
Contact: Erick Talavera, Program Specialist, (916) 808-2272, Dan Pskowski, Arborist, (916) 808-6345, Transportation Department.
19. **Implementation of Temporary Cash Transfers Between Various Unrestricted City Funds**
Location: (Citywide)
Action: Adopted **Resolution No 2009-376** giving the City Treasurer and Director of Finance authority to make temporary cash transfers between unrestricted City funds during Fiscal Year 2009/10.

Public Hearings (Items 20- 26)

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

20. Estimated Time: 5 minutes

Code Enforcement Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 4-30-09)

Location: (Citywide)

Action: Moved/Seconded: Member Sheedy/Member Fong

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

Conducted a public hearing and upon conclusion a **motion passed** to adopt **Resolution No. 2009-377 as amended** placing liens on the properties in the amount of \$152,562 for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

Action: Moved/Seconded: Member Sheedy/Member McCarty

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

Motion passed to reconsider the original motion.

Action: Moved/Seconded: Member Sheedy/Member Hammond

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 Julie Berrey, Courtney Liddell and Joel Liddell.

Motion passed to adopt Resolution No. 2009-377 as amended to include an additional property not included as part of the first amended Resolution.

Contact: Dennis Kubo, Program Manager, (916) 808-8577, Code Enforcement Department.

21. Estimated Time: 5 minutes

Housing Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 4-16-09)

Location: (Citywide)

Action: Moved/Seconded: Member Hammond/Member 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 from Julie Berrey.

Conducted a public hearing and upon conclusion **motion passed** to adopt **Resolution No. 2009-378** placing special assessment liens on the properties in the amount of \$124, 950 for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

Contact: Ron O'Connor, Code Enforcement Manager, (916) 808-8183, Code Enforcement Department.

22. Estimated Time: 0 minutes

Village Garden Landscape Maintenance District (Noticed on 6-5-09)

Location: North Sacramento, including Village Garden North Subdivision, Units 1 through 5 (District 2)

Action: Moved/Seconded: Member Hammond/Member Pannell

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

Motion passed to continue to June 23, 2009.

Contact: Brian Wong, Program Specialist, (916) 808-5778, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

23. Estimated Time: 0 minutes

Power Inn Road Maintenance District (Noticed on 6-5-09)

Location: Power Inn Road from 14th Avenue to the Regional Transit lightrail overcrossing (District 5)

Action: Moved/Seconded: Member Sheedy/Member McCarty

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

Motion passed to continue to June 23, 2009.

Contact: Brian Wong, Program Specialist, (916) 808-5778, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

24. Estimated Time: 30 minutes

Report Back on FY2009/10 Budget Development

Location: (Citywide)

Action: Moved/Seconded: Member Sheedy/Member 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 an intent motion to approve the proposed modifications to the Proposed Budget Resolution to be brought forward with the Budget Adoption Report scheduled for June 16, 2009.

Contact: Leyne Milstein, Finance Director, (916) 808-8491, Finance Department.

25. **Estimated Time: 30 minutes**
FY2009/10 Budget –Utilities Rate Hearing- Metered Water Restructure (Noticed on 4-10-09) **[To Be Delivered]**
Location: (Citywide)
Action: Moved/Seconded: Member Tretheway/Member Pannell
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
Public comment heard from Cathy Brandhorst, Manuel Mejia, Rick Bettis and Ronald Stork.
A motion passed to adopt **Resolution No. 2009-379** approving the proposed Metered Water Rate Restructure and amending the Water Service Fee and Charge Report to include the new metered water service rate structure to take effect July 1, 2009.
Contact: Jamille Moens, Business Services Manager, (916) 808-5988, Utilities Department.

26. **Estimated Time: 1 hour and 30 minutes**
FY2009/10 Budget –Utilities Rate Hearing- FY2009/10 Proposed Budget and Two-Year Utility Service Rate Adjustments (Noticed on 4-10-09) **[To Be Delivered]**
Location: (Citywide)
Action: Moved/Seconded: Member Cohn/Member Pannell
Yes: Members Steve Cohn, Robert King Fong, Kevin McCarty, Bonnie Pannell, Ray Tretheway, Robbie Waters.
Noes: Member Lauren Hammond, Member Sheedy and Mayor Johnson.
Public comment heard from Marian Ender, Rick Stevenson, Tom Gohring, Bruce Booher, Craig Powell, Cory Koehler, Evelyn Adams, Joe Guerrero and Theresa Wagner.
A motion passed to adopt an intent motion to approve 9% overall rate increase for each of the next two years with direction to staff to report back on June 23, 2009 providing details of water, sewer and solid waste Fund rate increases and budgetary amendments.
Contact: Jamille Moens, Business Services Manager, (916) 808-5988, Utilities Department.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Mayor Kevin Johnson – requested that the city manager bring back to Council for discussion on July 14, 2009 the outside auditor RFP proposal.

2. Board and Commission Appointments

- a. Stockton Boulevard RAC
 1. Steven Williams
 2. Elane Abelaye
 3. Geanine Hodges

4. John Crenshaw
- b. Sacramento Army Depot
 1. Carl Stein
 2. Dennis Wertz
 3. Michael O'Brien
 4. Diana Portillo
 5. Carl Pinkerston

Adjournment – at 9:39 p.m.