



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

Draft Minutes

Tuesday, April 13, 2010

6:00 P.M.

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, District 5
Kevin McCarty, District 6
Robbie Waters, Vice Mayor, District 7
Bonnie Pannell, District 8

CHARTER OFFICERS

Eileen Teichert, City Attorney
Shirley Concolino, City Clerk
Gus Vina, Interim 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.

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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Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.

DRAFT Minutes
Tuesday, April 13, 2010
6:00 P.M.

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.

Regular session called to order by Mayor Kevin Johnson at 6:03 p.m. Tuesday, April 13, 2010 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 Annie Mines, student participant in Youth @ City Council Program.

Closed Session Report – None.

Special Presentations/General Communications

- a. **Youth of the Month Presentation**
Action: Presented by Member Sandy Sheedy to Michael Chambon.
- b. **Recognition of Awards Received for 2030 General Plan in 2009 and 2010**
Action: Presented and announced by Tom Pace.
- c. **Resolution Supporting No Text While Driving**
Action: Presented to Tim Ray, Executive Director of AT&T External Affairs.

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time 17 minutes)

- 1. Sierra Green Dogzillary
 - a. Ryan Johnston
 - b. Sheila Kolla
- 2. Safeground and Homelessness
 - a. Tracie Rice-Bailey
- 3. Fraud-Code Enforcement
 - a. Patricis Johnson
 - b. Robert Lyon

Consent Calendar (Items 1 - 11) Estimated Time: 5 minutes (Actual Time 1 minute)

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** 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 July 21, 2009, March 11, 2010 and April 1, 2010

Location: (Citywide)

Action: Approved City Council, Financing Authority, Housing Authority and Redevelopment Agency Minutes for 1) March 11, 2010, April 1, 2010 and 2) July 21, 2009 with a clarification that council action on Item 5- Supplemental Agreements/Agreement: Community Reinvestment Capital Improvement Program (CRCIP) was approved by two Resolutions instead of one as previously noted.

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 appointment(s): 1) 65th Street Redevelopment Advisory Commission – Bill Motmans (category C-3) and Owen T. Jones (category C-1); 2) Sacramento Disabilities Advisory Commission – Joan Barden; 3) Board of Plumbing Examiners – Randy A. Boatman (category B); 4) Sacramento Heritage, Inc. Board of Directors – Ian L. Merker (category A-2) and Vivian L. Gerlach (category A-4).

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.

3. (Pass for Publication) Digital Billboard Sign Code Amendment (M09-035)

Location: (Citywide)

Action: 1) Reviewed a) a Resolution approving the Mitigated Negative Declaration and Mitigation Monitoring Plan; b) an Ordinance amending Sections 15.148.815 and 15.148.1170 of the City Code relating to digital billboards on city property, and 2) pass for publication the Ordinance title as required by Sacramento City Charter 32(c) to be adopted April 27, 2010.

Contact: Sandra Yope, Senior Planner, (916) 808-7158, Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department.

4. **Agreement: Baseball Field Renovation at George Sim Park Project**

(Two-Thirds Vote Required)

Location: 6207 Logan Street (District 6)

Action: Withdrawn by staff to adopt a Resolution 1) suspending competitive bidding in the best interests of the City to award a development and construction contract with the Giants Community Fund, the Good Tidings Foundation, and Robert A. Bothman, Inc. for the project; 2) authorizing the City Manager or City Manager's designee to execute a development and construction contract with the Giants Community Fund ("GCF"), Good Tidings Foundation ("GTF"), and Robert A. Bothman, Inc. ("Contractor") in an amount not to exceed \$110,000 for project; 3) establishing a Capital Improvement Program ("CIP") project (L19801500) for the Junior Giants Field at George Sim Park; 4) transferring \$70,000 of Parks and Recreation FY2009/10 operating budget funds (Fund 19001313) to L19801500; 5) transferring \$20,000 in General Funds (Fund 1001) from the Sim Park Cell Tower CIP (H06000120) to L19801500; 6) appropriating \$20,000 from the Quimby in Lieu Contingency Fund (Fund 2508) to L19801500; and 7) establishing a \$160,000 revenue and expenditure budget in the Other Capital Grants fund (Fund 3704) in-L19801500 to record the in kind work to be performed by GCF and GTF.

Contact: Dave Mitchell, Operations Manager, (916) 808-6076, Tim Hopper, Administrative Officer, (916) 808-8173, Parks and Recreation Department.

5. **California Office of Traffic Safety Sobriety Checkpoint Award**

Location: (Citywide)

Action: Adopted **Resolution No. 2010-186** authorizing the City Manager or designee to establish a grant project (G11006900) for the California Office of Traffic Safety (OTS) Sobriety Checkpoint grant.

Contact: James Beezley, Lieutenant, (916) 808-0854, Police Department.

6. **FY2009/10 Annual Budget: Northern California Regional Public Safety Training College – Joint Powers Authority**

Location: (Citywide)

Action: Adopted **Resolution No. 2010-187** authorizing the City Manager or designee, on behalf of the City of Sacramento to increase the Police Department's externally funded program expense and revenue budgets in the amount of \$275,956.

Contact: James Beezley, Lieutenant, (916) 808-0854, Police Department.

7. **Agreements: Intelligent Transportation System (ITS) Expansion Signal Timing (T15088000)**

Location: West El Camino Avenue. Orchard Lane to American Avenue (District 1); Folsom Boulevard: Alhambra Boulevard to 65th Street, Districts 3 and 6; 65th Street/65th Street Expressway: Elvas Avenue to Elder Creek Road, (Districts 3 and 6); Fruitridge Road: Martin Luther King Jr. Boulevard to Florin Perkins Road, Districts 5 and 6; Power Inn Road: Fruitridge Road to Elder Creek Road, District 6; Florin Road: Greenhaven Drive to Franklin Boulevard, (Districts 4, 7, 5, 8); Pocket Road/Meadowview Road/Mack Road: Greenhaven Drive to Stockton Boulevard, (Districts 4, 7, 8)

Action: Adopted **Resolution No. 2010-188** authorizing the City Manager to execute a professional services agreement for traffic signal timing with 1) Fehr & Peers Transportation Consultants for an amount not to exceed \$56,850; 2) Kimley Horn and Associates, Inc. for an amount not to exceed \$95,224; and 3) with Rick Engineering Company for an amount not to exceed \$92,083.

Contact: Evangeline Lucas Lee, Associate Engineer, (916) 808-7612, Angie Louie, Senior Engineer, (916) 808-7921, Transportation Department.

8. Supplemental Agreement: 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 **Resolution No. 2010-189** authorizing the City Manager to execute Supplemental Agreement No. 2 to City Agreement 2009-0012 with Sacramento Municipal Utility District (SMUD) to compensate SMUD for its work in relocating the 20" gas main in order for the City to build the interchange at I-5 in the future for an amount not to exceed \$324,792.

Contact: Nader Kamal, Special Projects Engineer, (916) 808-7035, Tim Mar, Supervising Engineer (916) 808-7531, Transportation Department.

9. Mercy General Hospital Neighborhood Traffic Management Program Project (S15071137)

Location: Generally bounded by McKinley Boulevard and D Street on the north, 45th Street on the east, Folsom Boulevard on the south and 36th Street and Santa Ynez Way on the west (District 3)

Action: Moved/Seconded: Member Steve Cohn/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.

Action: **Withdrawn from Consent Calendar** for public comment heard from Vicky Covell and a motion **passed** to adopted **Resolution No. 2010-190** approving the Mercy General Hospital Neighborhood Traffic Management Project (NTMP) - Phase 1 Traffic Calming Plan (S15071137).

Contact: Debb Newton, Program Analyst, (916) 808-6739, Angie Louie, Senior Engineer, (916) 808-7921, Transportation Department.

10. Agreement: Water Treatment Plants Rehabilitation Project (Z14006000)

Location: Sacramento River Water Treatment Plant, 1 Water Street, and E.A. Fairbairn Water Treatment Plant, 7501 College Town Dr / Council Districts 1 and 3

Action: Adopted **Resolution No. 2010-191** authorizing the City Manager to execute a Professional Services Agreement with Carollo Engineers to complete Phase 1 pre-design work for the Water Treatment Plants Rehabilitation Project for a not to exceed amount of \$825,494.

Contact: David L. Brent, Engineering Services Manager, (916) 808-420, Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.

11. **Ordinance Amendment: Vacancy Credits for Water and Sewer Service** (Passed for publication on 4-1-10, published on 4-5-10)
Location: (Citywide)
Action: Adopted **Ordinance No. 2010-009** amending sections 13.04.810 and 13.08.460 of the Sacramento City Code, governing vacancy credits for water and sewer service.
Contact: Jamille Moens, Business Services Division Manager, 808-5988, Shelle Smallwood, Billing Manager, 808-4928, Utilities Department.

Public Hearings (Items 12 - 14)

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

12. **Estimated Time: 4 minutes** (Actual Time 2 minutes)
Code Enforcement Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed 3-4-10)
Location: (Citywide)
Action: Moved/Seconded: Member Robert King Fong/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.
Action: Conduct a public hearing with no public comment; and upon conclusion; a motion **passed** to adopt **Resolution No. 2010-192 as amended** placing liens on the properties in the amount of \$92,093.16 for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.
Contact: Dennis Kubo, Code Enforcement Manager, (916) 808-8577, Code Enforcement Department.
13. **Estimated Time: 5 minutes** (Actual Time 3 minutes)
Housing Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed 1-22-10)
Location: (Citywide)
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.
Action: Conduct a public hearing with no public comment; and upon conclusion; a motion **passed** to adopt **Resolution No. 2010-193 as amended** placing special assessment liens on the properties in the amount of \$532,094.39 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.

14. **Estimated Time: 30 minutes** (Actual Time 7 minutes)
Non-Disposal Facility Element (NDFE) Amendment (Noticed on 4-2-10)
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.
- Action:** Conduct a public hearing with ; and upon conclusion; a motion **passed** to adopt **Resolution No. 2010-194** 1) approving the amended Non-Disposal Facility Element (NDFE); and (2) authorizing staff to submit the amended NDFE to the California Department of Resources Recycling and Recovery (CalRecycle), formerly the California Integrated Waste Management Board, for approval.
- Contact:** Edison Hicks, Integrated Waste General Manager, (916) 808-4949, William Skinner, Integrated Waste Collections Superintendent, (916) 808-4932, Utilities Department.

Council Comments-Ideas, Questions and Meeting/Conference Reports

15. **Resolution-No Texting While Driving**
Location: Citywide
Contact: Councilmember Bonnie Pannell, District 8, (916) 808-7008.
Action: Presented Under “Special Presentations/General Communications”
1. **Report Back**
None.
 2. **Board/Commission Appointments**
 - a. **Development Oversight Committee**
 1. Jeffrey Alan Stone
 2. Matt Hedges
 - b. **Regional Water Authority (Alternatives)**
 1. Gus Vina, City Manager (Executive Alternative)
 2. Marty Hanneman (City Manager’s Designee Alternate)
 3. Dan Sherry (City Manager’s Designee Alternate)
 - c. **Solid Waste Ad Hoc Committee**
 1. Member Steve Cohn
 2. Member Sandy Sheedy
 3. Member Robbie Waters

Adjourned - 7:01 p.m.