



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

DRAFT Minutes

Tuesday, May 26, 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 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, May 26, 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, May 26, 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 Ray Tretheway.

Closed Session Report - None.

Special Presentations/General Communications

a. **Annual Roger Lathe Historic Preservation Awards and Resolution Declaring May as Preservation Month**

Action: Presented by Alan Owen, Capitol City Preservation Trust

b. **Pioneer House Proclamation**

Action: Presented by Member Ray Tretheway to Calvin Hara

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

1. Joe Guerrero-Budget and Layoffs
2. Jim Updegraff-Grant for Surveillance Cameras
3. Gloria King-Water
4. Brian Davies-Canna Care and Auburn Dam

Consent Calendar (Items 1- 21) **Estimated Time: 05 minutes**

Action: Moved/Seconded: Member Robbie Waters/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

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 12, 2009**
Location: (Citywide)
Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for May 12, 2009.
Contact: Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk.
2. **Open an Application Period for Various Boards and Commissions**
Location: (Citywide)
Action: Opened an application period for: 1) Housing Code Advisory & Appeals Board to open 05/27/09 with applications due 06/26/09; 2) Meadowview Development Committee to open 05/27/09 with applications due 06/26/09; and 3) Small Business Development & Employment Advisory Board to open 05/27/09 with applications due 06/26/09.
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.
3. **(City Council/Redevelopment Agency) City Redevelopment Pass Through Election**
Location: (Citywide)
Action: Adopted **City Resolution No. 2009-322** and **Redevelopment Agency Resolution No. 2009-031** allowing the City of Sacramento to retain its share of the tax increment statutory pass through payments from those City redevelopment project areas for which it is eligible to receive payment for the 2008-09, 2009-10 and 2010-11 property tax years.
Contact: Donald Cavier, Finance Director (916) 440-1399 x1220, Sacramento Housing and Redevelopment Agency and Leyne Milstein, Finance Director, (916) 808-5845, Finance Department.
4. **(Redevelopment Agency) North Sacramento Redevelopment Area Brownfields Strategy**
Location: North Sacramento Redevelopment Area (District 2 and 3)
Action: Adopted **Redevelopment Agency Resolution No. 2009-032** establishing a Brownfield Strategy to conduct Phase I/ Phase II Environmental Site Assessment (ESA) in the North Sacramento Redevelopment Area and allocate \$500,000 of North Sacramento Tax Increment funds to develop the strategy.
Contact: Lisa Bates, Deputy Director, Community Development, (916) 440-1316, Chris Pahule, Assistant Director, Housing and Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency.

- 5. (Pass for Publication) Ordinance Amendment: Appeal Hearing Body for Decisions on Tree Removal and Maintenance Permits (M08-042)**
Location: (Citywide)

Action: 1) Reviewed a Resolution determining the project is exempt from environmental review; 2) Reviewed an Ordinance amending Title 12 of the City Code relating to appeals of decisions on tree removal and maintenance permits; and 3) passed for publication the Ordinance titles as required by Sacramento City Charter 32(c) to be adopted June 2, 2009.

Contact: Sandra Yope, Senior Planner, (916) 808-7158, Joy Patterson, Principal Planner, (916) 808-5607, Joe Benassini, Urban Forest Manager, (916) 808-6258, Development Services Department.
- 6. Annual Report: Northside Subdivision Maintenance District**
Location: Main Avenue between Rio Linda Boulevard and Marysville Boulevard, in Council District 2

Action: Adopted **Resolution No. 2009-323** adopting the Northside Subdivision Maintenance District Annual Budget and Levy Assessment for FY2009/10.

Contact: Brian Wong, Program Specialist, (916) 808-5778, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.
- 7. Power Inn Area Property and Business Improvement District (PBID) – Annual Proceedings FY2009/10**
Location: Power Inn Industrial Corridor south of Highway 50 in Council District 6, and is comprised of approximately 671 individual parcels and 400 property owners

Action: Adopted **Resolution No. 2009-324** adopting the Power Inn Area PBID annual budget and levying assessment.

Contact: Sini Makasini, Administrative Analyst, (916) 808-7967, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.
- 8. Village Garden Landscape Maintenance District – Initiate Annual Proceedings**
Location: North Sacramento, includes Village Garden North Subdivision, Units 1 through 5 (District 2)

Action: Adopted 1) **Resolution No. 2009-325** directing filing of Annual Report for fiscal year (FY) 2009/10; 2) **Resolution No. 2009-326** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2009/10; and 3) setting a time and place for a public hearing for June 9, 2009.

Contact: Brian Wong, Program Specialist, (916) 808-5778; Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.
- 9. Power Inn Road Maintenance District – Initiate Annual Proceedings**
Location: Power Inn Road from 14th Avenue to the Regional Transit light rail overcrossing (District 6)

Action: Adopted 1) **Resolution 2009-327** directing filing of Annual Report for fiscal year (FY) 2009/10; 2) **Resolution 2009-328** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2009/10; and 3) setting a time and place for a public hearing for June 9, 2009.

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

10. Neighborhood Lighting District – Initiate Annual Proceedings

Location: Includes 3 separate neighborhoods: Youngs Heights, Swanston Estates, and Colonial Heights (Districts 2, 3, 4 and 6)

Action: Adopted 1) **Resolution 2009-329** directing filing of Annual Report for fiscal year (FY) 2009/10; 2) **Resolution 2009-330** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2009/10; and 3) setting a time and place for a public hearing for June 23, 2009.

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

11. Neighborhood Landscaping District – Initiate Annual Proceedings

Location: Includes 34 separate subdivisions: Chardonnay, Del Paso Nuevo Units 1 & 3, Jones Ranch, Kelton, Sunrise 94, and Evergreen Phase 1, Eastland Park Village, Zorba Court, Elder Place, and 66th Street Subdivision, Carriage Estates, Villa Palazzo and Windemere Estates, Arlington Park 1, Arlington Park Creekside 2, 3 & 4, Brookfield Meadows #2, Cameron 5, Colony Brookfield, Jacinto Village 3, Laguna Verde 1 & 2, Laguna Parkway, Laguna Vega, Laguna Vista, Liberty Lane, Newport Cove, Regency Place, Shasta Meadows, Sheldon Farms, Sheldon Whitehouse, Stonewood and Wickford Square (Districts 2, 4, 5, 6, 7, and 8)

Action: Adopted 1) **Resolution 2009-331** directing filing of Annual Report for fiscal (FY) 2009/10; 2) **Resolution 2009-332** approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2009/10; and 3) setting a time and place for a Public Hearing for June 23, 2009.

Contact: Salina Cheung, Program Specialist, (916) 808-5236, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

12. Downtown Sacramento Property and Business Improvement District (PBID) – Annual Proceedings FY2009/10

Location: Comprised of approximately 66 City blocks and includes 468 individual parcels of land (District 1 and 3)

Action: Adopted **Resolution 2009-333** adopting the Downtown Sacramento PBID Annual Budget and Levying Assessment.

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

13. City Prevailing Wage Rates for Fiscal Year 2009/10

Location: (Citywide)

Action: Received and filed.

Contact: Chris Stewart, Procurement Services Manager, (916) 808-6202, General Services Department.

- 14. Cooperative Purchase/Agreements: Sewer Cleaning Trucks**
Location: (Citywide)
Action: Adopted **Resolution 2009-334** 1) approving the use of Houston-Galveston Area Council (HGAC) cooperative purchasing agreement (Contract No. SC01-08) to purchase three sewer cleaning truck bodies from Texas Underground, Inc. in an amount not to exceed \$257,862; 2) approving the use of Houston-Galveston Area Council (HGAC) cooperative purchasing agreement (Contract No. VE03-06) to purchase three sewer cleaning truck cab and chassis from Philpott Motors in an amount not to exceed \$108,642; and 3) authorizing the City Manager or the City Manager's designee to execute the purchases.
Contact: Keith Leech, Fleet Manager, (916) 808-5869, General Services Department.
- 15. Contract: Robertson Skate Park Project (L19190000)**
Location: 3525 Norwood Avenue / Council District 2
Action: Adopted **Resolution 2009-335** 1) approving the contract specifications and awarding the contract to JM Slover Inc. to develop the park for an amount not to exceed \$229,280; and 2) authorizing the City Manager or his designee to execute the contract for the project.
Contact: Jeff Nittka, Landscape Assistant, (916) 808-5996, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.
- 16. Supplemental Agreement/Agreement: OPUS Fields at the Natomas Baseball Complex CIP (L19180000) [To Be Delivered]**
Location: 3501 Fong Ranch Road/ Council District 1
Action: **Withdrawn by Member Ray Tretheway** to adopt a Resolution 1) approving Supplemental No. 2 to City Agreement 2006-0201 with Opus West, Inc.; and 2) approving an agreement between the City and Opus West, Inc. for the transfer of HCP mitigation credits.
Contact: Tim Hopper, Administrative Officer, (916) 808-8173, J.P. Tindell, Planning & Development Manager, (916) 808-1955, Parks and Recreation Department.
- 17. Contract/Purchase: Aviation Fuel [2/3Vote Required]**
Location: (Citywide)
Action: Adopted **Resolution 2009-337** 1) suspending competitive bidding in the best interests of the City for the purchase of aviation fuel, 2) to enter an agreement with the Defense Energy Support Center (DESC) for the purchase of aviation fuel for an amount not to exceed \$125,000 for the initial term through May 2010, with options by DESC to extend from year to year, and 3) authorizing the City Manager, or his designee, to extend agreement for four additional one-year terms in an annual amount not to exceed \$125,000 if DESC exercises its options to extend the contract, provided that sufficient funds are available in the budget adopted for the applicable Fiscal Year(s).
Contact: Gina Haynes, Lieutenant, (916) 808-0700, Police Department.

18. April 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.

19. Change Order: Fairbairn Sludge Dewatering

Location: 7501 College Town Drive (District 6)

Action: Adopted **Resolution 2009-338** approving Change Order No. 1 to Contract No. 2009-0237, with National Plant Services, Inc., in the amount of \$32,263.34 to compensate the contractor for additional costs incurred because the phase one tonnage exceeded the City's estimate by 116 tons (36 percent).

Contact: Mike Yee, Plant Services Manager (91) 808-5583, Dan Sherry, Supervising Engineer (916) 808-1419, Utilities Department.

20. Agreements: 2009 Drought Water Bank

Location: (Citywide)

Action: **Continued to June 2, 2009** to adopt a Resolution authorizing the execution of two agreements relating to the 2009 Drought Water Bank: 1) a Sellers Agreement with the California Department of Water Resources (DWR); and 2) a Consent to Groundwater Substitution Transfer with Sacramento Suburban Water District (SSWD).

Contact: David L. Brent, Engineering Services Manager, (916) 808-1420, Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.

21. Water Meter Retrofit Project

Location: Districts 1, 2, 6, 7 and 8

Action: Adopted **Resolution 2009-340** authorizing the City Manager to sign and file on behalf of the City of Sacramento a Financial Assistance Application for Safe Drinking Water State Revolving Fund funding with the California Department of Public Health for the Water Meter Retrofit Project.

Contact: David L. Brent, Engineering Manager, (916) 808-1420, Rick Matsuo, Supervising Engineer, (916) 808-1728.

Public Hearings (Items 22 and 23)

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

22. Estimated Time: 1 hour

Report Back on FY2009/10 Budget Development (No Additional Notice Required)

Location: (Citywide)

Action: Received with public comment heard from Craig Powell and Greg Hatfield; and Council provided direction.

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

23. **Estimated Time: 30 minutes**

North Natomas Financing Plan 2008 Update – Approving Development Fees and Nexus Study and Amending the North Natomas Development Agreement

(Noticed on 5-1-09 and 5-8-09, Continued from 5-12-09)

Location: (District 1)

Action: Moved/Seconded: Member Ray Tretheway/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

Conducted a public hearing with public comment heard from Curtis Cook, Bruce Roberts, Richard Hack, Chris Paros, Brandy Kollenburn, Molly Fling, Robert Wurgler, Gregory Thatch, Keith Sharward, and Angelique Ashby; and upon conclusion a motion **passed** to adopt **Resolution 2009-341 as amended** approving the North Natomas Nexus Study and Financing Plan 2008 Update, including an increase in the development impact fees for the Public Facilities Fee, and amending the standard-form North Natomas Development Agreement to implement changes in the procedure for adjusting the amount of the Public Facilities Fee and the mix of public facilities financed by that fee.

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

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Lauren Hammond-Ordinance Regarding Waste Management Program for Hypodermic Needles (San Luis Obispo County) to Law and Legislation Committee
- b. Member Steve Cohn-Committee/Commission district specific appointments without member input

2. Board and Commission Appointments

- a. Sacramento Area Sewer District Board
 1. Member Bonnie Pannell (Alternate)
- b. Small Business Development and Employment Advisory Board
 1. Elizabeth Cantu (Category A)
- c. Sacramento City/county Bicycle Advisory Committee
 1. F. Jordan Lang (Category A)
 2. Glenda Marsh (Category A)
- d. Sacramento Housing and Redevelopment Commission
 1. Louis Morton (Category A-1)

Adjourned - at 9:35 p.m. in memory of Fred Perry.