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

# **DRAFT Minutes**

**Tuesday, February 16, 2010**

**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, 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  
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.

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# DRAFT Minutes

**Tuesday, February 16, 2010**

**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 6:00 p.m. Tuesday, February 16, 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 Member Robert King Fong.

**Closed Session Report** – None.

## **Special Presentations/General Communications**

### **a. Sacramento Municipal Utility District (SMUD) Presentation of Energy Incentives**

**Action:** Check presented by Larry Carr to Members Bonnie Pannell and Kevin McCarty.

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

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

[Actual Total Time- minutes]

1. Safeguard and Homelessness
  - a. Tracie Rice-Bailey
  - b. Heath Patterson
2. Senior Issues
  - a. Bill Grant

## Consent Calendar (Items 1- 17) **Estimated Time: 5 minutes**

[Actual Total Time- minutes]

**Action:** Moved/Seconded: Member Robbie Waters/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 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 February 2, 2010.**

**Location:** (Citywide)

**Action:** Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for February 2, 2010.

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

2. **Ordering and Giving Notice of a Measure for Inclusion on the June 8, 2010 Primary Municipal Election Ballot – Independent Budget Analyst Act of 2009**

**Location:** (Citywide)

**Action: Continued to February 23, 2010** to adopt a Resolution ordering and giving notice of an initiative ordinance measure to be placed on the June 8, 2010, ballot regarding the proposed addition of Chapter 2.33 (Establishment of Office of the Independent Budget Analyst) and amendment of Chapter 2.32 (Department of Finance) of the Sacramento City Code.

**Contact:** Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk

3. **Directing Preparation of Attorney’s Impartial Analysis for a June 8, 2010 Ballot Measure – Independent Budget Analyst Act of 2009**

**Location:** (Citywide)

**Action: Continued to February 23, 2010** to adopt a Resolution directing the preparation of an impartial analysis for the June 8, 2010 initiative ordinance ballot measure regarding proposed changes to the Sacramento City Code pertaining to the Independent Budget Analyst Act of 2009.

**Contact:** Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk

4. **2010 Updated Conflict of Interest Code**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-071** 1) adopting the Conflict of Interest Code for the City of Sacramento; and 2) repealing resolution 2009-097.

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

5. **Appointment to the Retirement Hearing Commission**

**Location:** (Citywide)

**Action:** Received and filed.

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

6. **Administrative Matter: Correction to Resolution 2009-604**  
**Location:** (Citywide)  
**Action:** Adopted **Resolution No. 2010-072** amending Resolution 2009-604 to change the multi-year operating grant number (G02000300) to a multi-year operating project number for the Youth and Family Services Program (I02000300).  
**Contact:** Lyn Corbett, Director, Office of Youth Development, (916) 808-8499, Denise Curl, Administrative Analyst, Office of Youth Development, (916) 808-6204, Office of the City Manger.
7. **Reimbursement Agreement: Natomas Joint Vision**  
**Location:** Unincorporated portion of the Natomas Basin within Sacramento County (District 1)  
**Action:** Adopted **Resolution No. 2010-073** approving and authorizing the City Manager to execute an agreement with Sacramento County for reimbursement of the City for consultant and staff costs incurred for preparation of the Natomas Joint Vision Visioning Plan in an amount up to \$220,000.  
**Contact:** Scot Mende, New Growth Manager, (916) 808-4756, David Kwong, Planning Director, (916) 808-2691, Community Development Department.
8. **(Pass for Publication) Ordinance Amendment: Living Wage and Prevailing Wage**  
**Location:** (Citywide)  
**Action:** 1) Reviewed an Ordinance a) amending City Code section 3.58.030 pertaining to the payment of a living wage and repealing City Code section 3.56.070 pertaining to the payment of prevailing wages, to establish a single authority for regulating the wage rates and optional health benefit standards for employees of contractors performing services classified as non-professional services, and b) adding section 3.56.070 to extend the 60 day transition employment period for janitors set forth in Labor Code §1061 to 90 days; and 2) passed for publication the Ordinance title as required by Sacramento City Charter Section 32(c) to be adopted February 23, 2010.  
**Contact:** Reina J. Schwartz, Director of General Services, (916) 808-7195, General Services Department.
9. **Ordinance Amendment: Changes to Contracts for Supplies, Services and Public Projects** (Passed for Publication on 2-9-10, Published on 2-12-10)  
**Location:** (Citywide)  
**Action:** Adopted **Ordinance No. 2010-002** adding and amending various provisions of Chapters 3.56, 3.60 and 3.64 of the Sacramento City Code related to the approval of contract changes.  
**Contact:** Reina J. Schwartz, Director of General Services, (916) 808-7195, General Services Department.

- 10. Lease Agreement: Public Safety Administration Building Office Space**  
**Location:** 5770 Freeport Blvd., Suite No. 44 (District 4)  
**Action:** Adopted **Resolution No. 2010-074** 1) finding that it is in the best interest of the City, pursuant to Sacramento City Code section 3.68.110D, to lease office space, without bidding; 2) authorizing the City Manager or the City Manager's designee to execute a seven-year lease agreement with the Sacramento Black Chamber of Commerce for the office space; 3) authorizing the City Manager or the City Manager's designee to execute such additional documents and to take such additional actions as necessary to implement the lease agreement; and 4) authorizing the City Manager or the City Manager's designee to establish a revenue budget as required within the Department of General Services General Fund operating budget.  
**Contact:** Bill Sinclair, Program Manager, (916) 808-1905, Cynthia Kranc, Facilities Manager, (916) 808-2258, General Services Department.
- 11. Contract: Purchase of Used Vehicles**  
**Location:** (Citywide)  
**Action:** Adopted **Resolution No. 2010-075** 1) awarding a one-year contract with two one-year renewal options to Downtown Ford Sales for the purchase of used vehicles in an amount not to exceed \$1,575,575; and 2) authorizing the City Manager or the City Manager's designee to execute the necessary contract and renewal options specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).  
**Contact:** Marc Robles, Program Analyst, Procurement Services, (916) 808-6343, Chris Stewart, Procurement Services Manager, (916) 808-6202, Keith Leech, Fleet Manager, (916) 808-5869, General Services Department.
- 12. Agreement: Proposed Luther Burbank High School Sports Complex**  
**Location:** (District 8)  
**Action:** Adopted **Resolution No. 2010-076** authorizing the City Manager or his designee to execute a Memorandum of Understanding (MOU) with the Sacramento City Unified School District (District) regarding construction, operation, and maintenance of the portion of the proposed joint use, multi-sport complex at the District's Luther Burbank High School to be funded through Proposition 84.  
**Contact:** Camille Wise, Resource Development Specialist, (916) 808-8830, Parks and Recreation Department.
- 13. Supplemental Agreement: Lease for Hangar and Office Space for Air Support Unit**  
**Location:** (Citywide)  
**Action:** Adopted **Resolution No. 2010-077** 1) authorizing the City Manager or designee to execute Supplemental No. 1 to City Agreement No. 2006-1088 with McClellan Business Park, LLC for hangar and office space for the Sacramento Police Air Support Unit to extend the lease term for two years, plus three one-year renewal options for an amount not to exceed \$375,000; and 2) authorizing the City Manager or designee to enter into such extension(s) 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.

**14. Agreement: Regional Transit (RT) Minimal Operable Segment 1 (MOS-1) – Downtown-Natomas-Airport Light Rail Corridor Project (P15013910)**

**Location:** 1.5 mile extension of Light Rail Transit (LRT) beginning at 8<sup>TH</sup> and H Streets, travelling north to G Street, west to 7<sup>th</sup> Street and north to the Richards Boulevard Station, returning south on 7<sup>th</sup> Street to 7<sup>th</sup> and H Streets, with a light rail station at Richards Boulevard and on 8<sup>th</sup> Street between H and I Streets (District 1)

**Action:** Adopted **Resolution No. 2010-078** approving the Project Agreement with Regional Transit for Minimal Operable Segment 1 of the Downtown-Natomas-Airport Rail Corridor Light Rail Project.

**Contact:** Jon Blank, Supervising Engineer, (916) 808-7914, Transportation Department.

**15. Measure A FY09 Revenue Reductions and Programming**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-079** 1) amending the FY09/10 Capital Improvement Program by reducing the Street Overlays and Seals Program (R15072000) budget in the amount of \$793,015; and 2) accepting the FY08/09 Measure A Construction interest allocation in the amount of \$747,477.

**Contact:** Nicole Henderson, Supervising Financial Analyst, (916) 808-8242, Lucinda Willcox, Program Manager, (916) 808-7531, Transportation Department.

**16. Agreement: Alhambra Boulevard & Folsom Boulevard Traffic Signal Upgrade Project (T15105600)**

**Location:** Intersection of Alhambra Boulevard and Folsom Boulevard (District 3)

**Action:** Adopted **Resolution No. 2010-080** 1) establishing the project; 2) authorizing the City Manager to execute Program Supplement No. 123-N; 3) appropriating funds in the amount of \$352,440 (Fund 3703) to the Project; and 4) transferring funds in the amount of \$20,000 (Fund 2007) from State and Federal Grant Match Project (T15007200) to the Project.

**Contact:** Cecilyn Foote, Associate Civil Engineer (916) 808-6843, Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.

**17. Agreement: Sacramento River Watershed Sanitary Survey 2010 Update (Z14000600)**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-081** 1) authorizing the City Manager to approve a Professional Services Agreement with Starr Consulting to prepare a sanitary survey update of the Sacramento River watershed area in an amount not to exceed \$140,400 and 2) authorizing the City Manager to amend the revenue and expenditure budgets for the project to recognize reimbursement into Fund 3702 the allocated costs from the partner agencies in the amount of \$114,207.

**Contact:** David Brent, Engineering Services Manager, (916) 808-1420, Sherill Huun, Supervising Engineer, (916) 808-1309, Utilities Department.

## Discussion Calendar(Items 18 - 27)

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

**18. Estimated Time: 15 minutes [Actual Total Time- 7 minutes]**

**2010 Sustainability Implementation Plan**

**Location:** (Citywide)

**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.

A motion **passed** to adopt **Resolution No. 2010-082** approving the 2010 Sustainability Implementation Plan.

**Contact:** Carol Shearly, Sustainability Special Projects Manager, (916) 808-5893, General Services Department.

**19. Estimated Time: 20 minutes [Actual Total Time- 21 minutes]**

**Climate Action Plan, Phase 1 – Internal Operations**

**Location:** (Citywide)

**Action:** Moved/Seconded: Member Kevin McCarty/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.

Reviewed and commented on Phase 1 of the Climate Action Plan with public comment heard by Rick Bettis and a motion **passed** directing staff to proceed with Phase 2 of the project including bicycling at city facilities referred to Law and Legislation Committee.

**Contact:** Erik de Kok, Senior Planner, (916) 808-2022, Tom Pace, Long Range Planning Manager, (916) 808-6848, Community Development Department.

**20. Estimated Time: 15 minutes [Actual Total Time-8 minutes]**

**Fleet Sustainability Policies**

**Location:** (Citywide)

**Action:** Moved/Seconded: Member Bonnie Pannell/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.

No public comment and a motion **passed** to adopt **Resolution No. 2010-083** 1) approving an amendment to sections F(bi) and F(bii) of the current Fleet Sustainability Policy as it relates to reporting; 2) authorizing staff to implement greenhouse gas scores as opposed to the current Low Emission Vehicle (LEV) measurement; and 3) receiving and filing annual Fleet report back data.

**Contact:** Keith Leech, Fleet Manager, (916) 808-5869, General Services Department.

21. **Estimated Time: 15 minutes** [Actual Total Time- 9 minutes]  
**Administrative Policies Regulating the Procurement of Supplies, Non-Professional Services, and Contracts for Public Projects**  
**Location:** (Citywide)  
**Action:** Moved/Seconded: Member Kevin McCarty/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.
- No public comment and a motion **passed** to adopt **Resolution No. 2010-084** approving the administrative policies for regulating the procurement of: 1) supplies (Policy No. 10-4001); 2) non-professional services (Policy No. 10-4101); and 3) public project contracts (Policy No. 10-4002).
- Contact:** Christopher Stewart, Procurement Manager, (916) 808-6202, General Services Department.
22. **Estimated Time: 30 minutes** [Actual Total Time-11 minutes]  
**Ordinance Amendment: City Universal Design Accessibility Standards Ordinance (LR09-019)** (Passed for publication on 2-9-10, Published on 2-12-10)  
**Location:** (Citywide)  
**Action:** Moved/Seconded: Member Steve Cohn/Member Sandy Sheedy  
**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 by Dan Kysor, Jeff Thom, and Bruce Monighan; and a motion **passed** to adopt 1) **Ordinance No. 2010-003** adding Chapter 15.154 of the Sacramento City Code relating to Universal Design Accessibility Standards for Residential Dwellings; and 2) **Resolution No. 2010-087** directing future evaluation of the Universal Design Ordinance.
- Contact:** Greg Sandlund, Associate Planner, (916) 808-8931, Carl Hefner, Chief Building Official, (916) 808-8779, Jim McDonald AICP, Senior Planner, (916) 808-5723, Community Development Department.
23. **Estimated Time: 30 minutes** [Actual Total Time- 18 minutes]  
**Del Paso Boulevard Streetscape Improvement Project (T15098400)**  
**Location:** Del Paso Boulevard from Arden Way to Acoma Street (District 2)  
**Action:** Moved/Seconded: Member Sandy Sheedy/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.
- Public comment heard by John Fierro, Paul Marx, Russ Wyluda, Todd Harlan, Jerry Greenberg, and Dave Veden; and a motion **passed** to adopt 1) **Resolution No. 2010-085** approving the 30% streetscape plans; 2) **Resolution No. 2010-086** approving the Mitigated Negative Declaration and adopting the Mitigation Monitoring Plan; 3) authorizing the City Manager to execute Supplemental Agreement No. 2 with

Bennett Engineering Services, Inc. in the amount of \$162,936 and resetting the City Manager's Supplemental Agreement Authority.

**Contact:** Matthew Johns, Assistant Engineer (916) 808-5760; Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.

24. **Estimated Time: 5 minutes** [Actual Total Time- minutes]  
**Ordinance Amendment: Election Related- Ballot Arguments [To Be Delivered]**  
**Location:** (Citywide)

**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.

No public comment and a motion **passed** to adopt **Ordinance No. 2010-004 effective immediately** amending Chapter 1.16.070 of the Sacramento City Code relating to Ballot Arguments.

**Contact:** Matt Ruyak, Deputy City Attorney, (916) 808-5346, Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk.

25. **Estimated Time: 5 minutes** [Actual Total Time- 10 minutes]  
**Report Back - Creation of Office of the Independent Budget Analyst [To Be Delivered]**  
**Location:** (Citywide)

**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.

Public comment heard by Efren Gutierrez and a motion **passed** directing staff to return on February 23, 2010 with future amendment options for the proposed ordinance creating the Office of the Independent Budget Analyst.

**Contact:** Eileen Teichert, City Attorney and Matt Ruyak, Supervising Deputy Attorney, (916) 808-5346, Office of the City Attorney.

### Council Requests

26. **Estimated Time: 30 minutes** [Actual Total Time- 7 minutes]  
**Report Back: Charter Reform Package**  
**Requestor:** Mayor Kevin Johnson  
**Date Requested:** February 9, 2010

**Request:** Council review of a Charter Reform Package for the June 2010 Ballot including: 1) Executive Mayor modified from the Strong Mayor Initiative; 2) adoption of an Independent Budget Analyst Ordinance instead of putting on the ballot; 3) creation of an Ethics Committee; 4) inclusion of Term Limits for Mayor and Council; and 5) voter re-approval of reform (also known as sunset).

Contact: Mayor Kevin Johnson, (916) 808-5407, Office of the City Council.

**Action: Withdrawn by Mayor Kevin Johnson** with public comment heard by Devin Lavelle, Rhonda Erwin, and Shawn Eldridge.

**27. Estimated Time: 10 minutes [Actual Total Time- 20 minutes]**  
**Report Back: Pursuit of Federal Emergency Management Agency (FEMA) Issue Investigation**

**Requestor:** Member Robert King Fong

**Date Requested:** February 9, 2010

**Request:** Staff actions for how to pursue a larger investigation into the FEMA issues that were presented to Mayor/Council in the January 26, 2010 report (Item 13).

**Contact:** Member Robert King Fong, (916) 808-7704, Office of the City Council.

**Action:** Directed staff to deliver to the full Council the documents provided to the outside Auditor on the 9 additional items noted in the January 26, 2010 report and assist in the development of a process and timeline for appropriate action.

### Council Comments-Ideas, Questions and Meeting/Conference Reports

#### **1. Report Back**

##### a. Mayor Kevin Johnson

1. Staff recommendation for a process and procedure for effectively managing the schedule for Council requested report backs allowing adequate time for staff to research and prepare quality material.
2. Report to Council for acceptance of the \$200,000 Cities of Service Leadership Grant from the Cities of Service and the Rockefeller Foundation and authorization for a full time equivalent (FTE) position to manage the program.

#### **2. Board/Commission Appointments**

##### a. Paratransit Board

1. Bill Lewis

**Adjourned** at 8:25 pm.