



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

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

DRAFT Minutes

Tuesday, September 28, 2010

6:00 P.M.

CHARTER OFFICERS

Eileen Teichert, City Attorney
Shirley Concolino, City Clerk
Gus Vina, Interim City Manager
Russ Fehr, City Treasurer

City Hall-915 I Street, 1st Floor Council Chamber

Published by the Office of the City Clerk (916) 808-7200

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, September 28, 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 6:02 p.m. Tuesday, September 28, 2010 at the Sacramento City Hall Council Chamber.

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

Absent: Councilmember Kevin McCarty arrived at 6:10 p.m.

Pledge of Allegiance—led by Deion Thurman, student participant in Youth @ City Council Program.

Closed Session Report – None.

Special Presentations/General Communications

a. Sacramento Latin Music & Arts Festival

Action: Ruth Gottlieb and Richard Falcon invited the community and Councilmembers to attend the annual event.

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

1. Police Abuse/Youth
 - a. Rhonda Erwin
2. Senior Services
 - a. Bill Grant
3. Mall Police/Keeping Parks Open
 - a. Tim Boyd

Consent Calendar (Items 1- 20) Estimated Time: 5 minutes (Actual Time: 3 minutes)

Action: Moved/Seconded: Member Robbie Waters/Member Robert King Fong

Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Bonnie Pannell, Kevin McCarty, 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 September 14, 2010**
Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for September 14, 2010.

Contact: Shirley Concolino, City Clerk (916) 808-7200, Office of the City Clerk.
- 2. 2011 Meeting Schedule for the City Council, Financing Authority, Housing Authority, and Redevelopment Agency**
Location: (Citywide)

Action: Adopted **Resolution No. 2010-556** 1) approving the 2011 meeting schedule for the City Council, Financing Authority, Housing Authority, and Redevelopment Agency; and 2) designating four weeks regular meetings will not be held.

Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk
- 3. Appeal: Happy Happy Entertainment Permit Application Denial**
Location: 6408 Stockton Boulevard (District 3)

Action: Adopted **Resolution No. 2010-557 as amended** causing the appeal of the decision to deny issuance of an entertainment permit for The Happy Happy Restaurant to be heard by a City Council appointed administrative hearing examiner.

Contact: Max B. Fernandez, Director of Community Development, (916) 808-7940, Robert Rose, Code Enforcement Manager, (916) 808-5947. Community Development Department.
- 4. Contract: Real Estate Brokerage Services**
Location: (Citywide)

Action: Adopted **Resolution No. 2010-558** authorizing the City Manager, or his designee, to award a no-cost contract to CB Richard Ellis (CBRE), for consultant and professional services related to real property assets owned by the City.

Contact: Melissa Anguiano, Economic Development Manager, (916) 808-5864, Rhonda Lake, Facilities and Real Property Superintendent, (916) 808-7902, Bill Sinclair, Program Manager, (916) 808-1905, Economic Development Department.
- 5. (Redevelopment Agency) Agreement: 800 Block of K and L Streets**
Location: 800 to 816 K Street and 809 to 815 block of L Street (District 1)

Action: Adopted **Redevelopment Agency Resolution No. 2010-035** authorizing the Executive Director or her designee, on behalf of the Redevelopment Agency, to 1) execute an Exclusive Right to Negotiate Agreement (ERN) with 800 K Street, LLC (David S. Taylor Interests, Inc., and CIM Group) for the redevelopment of 800 to 816 K Street and 2) execute an Exclusive Right to Negotiate Agreement with 8th and L Partners, LP (David S. Taylor Interests, Inc., and Domus Development) for 809 to 815 L Street.

Contact: Denise Malvetti, Senior Economic Development Project Manager, (916) 808-7064, Sheri Smith, Senior Economic Development Project Manager, (916) 808-7204;

Leslie Fritzsche, Downtown Development Manager, (916) 808-5450, Economic Development Department.

6. (Pass for Publication) Ordinance Amendment: Taxicabs

Location: (Citywide)

Action: 1) Reviewed proposed Ordinance repealing and adding Chapter 5.136 of the Sacramento City Code and amending Sections 10.04.010, and 10.36.170 of the Sacramento City Code relating to taxicabs; 2) passed the Ordinance for publication of title as required by Sacramento City Charter § 32(c) of the City of Sacramento to be adopted on October 5, 2010.

Contact: Brad Wasson, Revenue Manager, (916) 808-5844, Dafna Gauthier, Business Permit Manager, (916) 808-7800, Finance Department.

7. Supplemental Agreement: Professional Auditing Services

Location: (Citywide)

Action: Adopted **Resolution No. 2010-559** authorizing execution of Supplemental Agreement No. 1 to City Agreement 2009-0516 in the amount of \$927,524 with Macias Gini & O'Connell LLP to conduct the City's required independent financial and compliance audits for the fiscal year ending June 30, 2010, and the three subsequent fiscal years.

Contact: Dennis Kauffman, Accounting Manager, (916) 808-5843, Finance Department.

8. Contract: Arts and Craft Supplies

Location: Within and outside City limits (Citywide)

Action: Adopted **Resolution No. 2010-560** 1) awarding a one-year contract with two one-year renewal options to S & S Worldwide for the purchase of arts and craft supplies in an amount not to exceed \$472,105 for the potential maximum three year term; 2) authorizing the City Manager or the City Manager's designee to execute the contract, renewal options specified above, and the required purchase orders provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s); 3) authorizing the Department of Parks and Recreation to make supplemental purchases of arts and craft supplies using purchase orders and purchase cards at Michaels, Jo-Ann Fabric and Craft Stores, Art Ellis, Beverly's, and Oriental Trading Company in a total amount not to exceed \$91,482 through October 1, 2013.

Contact: David Mitchell, Operations Manager, (916) 808-6076; Alan Tomiyama, Recreation Manager, (916) 808-8958, Parks and Recreation Department.

9. Change Order: Hagginwood Park Synthetic Turf Soccer Field Project (L19808800)

Location: 3271 Marysville Boulevard (District 2)

Action: Adopted **Resolution No. 2010-561** 1) appropriating \$75,000 of Quimby Act Fees, Fund 2508, to the project; and 2) authorizing the City Manager, or City Manager's designee, to execute Change Order No. 2 to CO2010-0467 between the City of Sacramento and Grass Valley Turf Company to provide a security fence and associated landscape improvements around the new synthetic soccer field which will help prevent unauthorized use, vandalism, and other inappropriate activities in the amount of \$81,187 for the project.

Contact: C. Gary Hyden, Supervising Landscape Architect, (916) 808-1949, J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Parks and Recreation Department.

10. Grant Application: Recreational Trails Program Grant Proposal for Freeport Boulevard Bike Trail

Location: Near Freeport/Meadowview Intersection (Districts 7 and 8)

Action: Adopted **Resolution No. 2010-562** 1) authorizing the City Manager, or City Manager's designee, to execute and submit a California Department of Parks and Recreation ("CDPR") Recreational Trails Program Grant ("RTP") application in an amount up to \$300,000 for development of an off-street bike trail along Freeport Boulevard; 2) authorizing the City Manager or City Manager's designee to execute the required CDPR RTP grant contract, including any amendments thereto, subject to approval as to form by the City Attorney, any and all other documents required or deemed necessary or appropriate to secure a RTP grant from CDPR, to establish a program and its related revenue and expenditure budgets, contingent upon approval of the application; and 3) approving the Resolution required by the CDPR.

Contact: Camille Wise, Resource Development Specialist, (916) 808-8830, Ed Cox, Bike and Pedestrian Coordinator, (916) 808-8434, Parks and Recreation Department.

11. Agreement: Sacramento Safe Community Partnership Program (SSCP) Development Services [SETA]

Location: (Citywide)

Action: Adopted **Resolution No. 2010-563** authorizing the City Manager or designee to execute a professional services agreement with the Sacramento Employment and Training Agency (SETA) for personal and career development services, in an amount not to exceed \$634,663, for the period of September 29, 2010 to August 31, 2012.

Contact: Scott LaCosse, Captain, (916) 808-0551, Police Department.

12. **Grant/Agreement: California Office of Traffic Safety DUI Enforcement and Education Programs**
Location: (Citywide)
Action: Adopted **Resolution No. 2010-564 as amended** 1) authorizing the City Manager, or his designee, to accept on behalf of the City of Sacramento, \$1.12 million in grant funding from the State of California, Office of Traffic Safety (OTS) to implement DUI Enforcement (\$621,159) and DUI Education grant programs (\$500,000); 2) authorizing the City Manager, or his designee, to establish grant projects for the OTS grants (DUI Enforcement - #G11007900, DUI Education - #G11008000); 3) authorizing the City Manager, or his designee, to adjust the necessary grant expense and revenue budgets in an amount not to exceed \$1.12 million; and 4) authorizing the City Manager, or his designee, to enter into MOU's with program partners, to implement the grant-funded DUI Enforcement and Education Programs.
Contact: Mike McCarthy, Captain, (916) 808-0701, Police Department.
13. **Repayment of Funds: Willowcreek Fee District Project (I22206000)**
Location: (District 1)
Action: Adopted **Resolution No. 2010-565** 1) approving the repayment from the New Traffic Signals Project (S15074300) to the project in the amount of \$177,174 (\$150,000 Fund 2001 and \$27,174 Fund 2007).
Contact: Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.
14. **Agreement: City College Light Rail Station Pedestrian/Bicycle Crossing Project (T15065700)**
Location: North side of Sutterville Road adjacent to and east of the Sacramento City College campus (District 5)
Action: Adopted **Resolution No. 2010-566** 1) authorizing the City Manager to execute a professional services agreement with Drake Haglan and Associates in an amount not to exceed \$1,335,000 to complete preliminary engineering and prepare final design for the project; and 2) transferring \$80,000 (Fund 2013) from the Transportation Development Account (TDA) Federal and State Match Project (K19000400) to the project.
Contact: Cecilyn Foote, Associate Civil Engineer (916) 808-6843, Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.
15. **Contract: Base Repair by Cold Planing at Various Locations**
Location: (Citywide)
Action: Adopted **Resolution No. 2010-567** awarding a one-year maintenance and repair agreement for base repair by Cold planing at various locations to Anrak Corporation in an amount not to exceed \$90,000, with options to extend the agreement for up to two additional one-year periods. The total amount of the agreement, including the two optional one-year extensions, will not exceed \$278,200.
Contact: Juan Montanez, Street Services Manager, (916) 808-2254, Ramon Gibbons, (916) 808-5871, Transportation Department.

16. **24th Street Fencing Project**
Location: 24th Street (West side), from 50th Avenue to 57th Avenue (District 5)
Action: Adopted **Resolution No. 2010-568** 1) establishing the project; 2) transferring \$96,567 (Fund 1001) from the Council District 5 Cell Tower Discretionary Projects (80003107 and 80003108) to the project; and 3) appropriating \$30,000 (Fund 1001) from the Council District 5 Discretionary Account.
Contact: Mehrdad Nazeri, Associate Engineer, (916) 808-7460, Ryan Moore, Supervising Engineer, (916) 808-8279, Transportation Department.
17. **Contract: Basin 55 I&I Reduction Project (X14000800)**
Location: Residential areas in the City of Sacramento (Districts 4 and 7)
Action: Adopted **Resolution No. 2010-569** 1) transferring Sewer funds (Fund 6006) in the amount of \$91,440 from the Base CIP Reserve-Sewer Project (X14000500) to the project; and 2) approving the contract specifications for the Basin 55 I&I Reduction Project and award the contract to J.F. Pacific Liners, Inc., for an amount not to exceed \$895,350
Contact: David L. Brent, Engineering Manager, (916) 808-1420, Rick Batha, Supervising Engineer, (916) 808-1448, Utilities Department.
18. **(Redevelopment Agency) La Valentina Project Budget Augmentation**
Location: 12th Street between C Street Alley and E Street, Alkali Flat Redevelopment Area (District 3)
Action: Adopted **Redevelopment Agency Resolution No. 2010-036** a) amending the 2010 Sacramento Housing and Redevelopment Agency budget by defunding \$138,823 of Alkali Flat Commercial Loan funds and \$149,191 of Globe Mills Acquisition funds to Alkali Flat Developers Assistance and allocating existing balance of \$652,976 in Alkali Flat Developers Assistance and \$247,024 of Alkali Fat Development Assistance Tax Exempt bond funds to the La Valentina Project; b) authorizing the Executive Director, or her designee, to execute and amend contracts for remediation services for costs associated with obtaining environmental site closure at the property; and c) authorizing the Executive Director, or her designee, to apply for and accept additional funds from the California Recycle Underutilized Sites Grant Program (CALReUSE) for the site.
Contact: Chris Pahule, Assistant Director, (916) 440-1350, Sacramento Housing and Redevelopment Agency.
19. **(City Resolution/Housing Authority/Redevelopment Agency) Benefit Actions for Unrepresented Employees**
Location: (Citywide)
Action: Adopted 1) **City Resolution No. 2010-570**; 2) **Housing Authority Resolution No. 2010-008**; and 3) **Redevelopment Agency Resolution No. 2010-037** approving benefit Actions for the Sacramento Housing and Redevelopment Agency (SHRA) exempt management and confidential (unrepresented) Employees.
Contact: La Shelle Dozier, Executive Director, (916) 440-1319, James Shields, Director of Administration, (916) 440-1375, Sacramento Housing and Redevelopment Agency.

20. Agreement: Curtis Park Village Project

Location: Old Western Pacific Railyard: North of Sutterville Road, south of Portola Way, east of the Union Pacific Railroad/Regional Transit South Line, and west of the existing Curtis Park neighborhood/24th Street (District 5)

Action: Adopted **Resolution No. 2010-571** authorizing the City Manager to execute an indemnification agreement with Calvine & Elk Grove – Florin, LLC relating to the Curtis Park Village project (P04-109).

Contact: Lindsey Alagozian, Senior Planner, (916) 808-2659, Joy Patterson, Principal Planner, (916) 808-5607, David Kwong, Planning Director, (916) 808-2691, Community Development Department.

Public Hearings (Items 21 and 22)

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

21. Estimated Time: 5 minutes (Actual Time: 1 minute)

Army Depot Solar

Location: (District 6)

Action: Moved/Seconded: Member Robert King Fong /Member Kevin McCarty

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

A motion **passed** to continue to 10-5-10.

Contact: Heather Forest, (916) 808-5008, Community Development Department.

22. Estimated Time: 2 hours (Actual Time: 2 hours)

Curtis Park Village Project (Noticed on 9-14-10)

Location: Old Western Pacific Railyard: North of Sutterville Road, south of Portola Way, east of the Union Pacific Railroad/Regional Transit South Line, and west of the existing Curtis Park neighborhood/24th Street (District 5)

Action: Moved/Seconded: Member Lauren Hammond /Member Robert King Fong

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

Conducted a public hearing with public comment heard from Rosanna Herber, Janet Carlsen, John Bailey, Teresa Peck-Montijo, Melanie Smith, Kate Sproul, Susan Levenson-Palmer, Scott Johnson, Sheila Harrington, Kitty Wilson, Kathy Jorgensen, David Brandenburger, Michael Hearn, Michael Secilia, Chris Thompson, Earl Withycombe, Claire Goldstene, Bill Rounds and Vicki Pearson-Rounds; and upon conclusion a motion **passed** adopting 1) **Resolution No. 2010-572 adopting** the Environmental Impact Report and adopting the Mitigation Monitoring Plan; 2) **Resolution No. 2010-573** amending the General Plan Land Use and Urban Form Diagram from Traditional Neighborhood Low to Traditional Neighborhood Medium; 3) an **Ordinance No. 2010-027** rezoning from Heavy Industrial (M-2) and Standard Single Family Residential (R-1) to Shopping Center (SC-PUD), Single Family Alternative (R-1A-PUD), Multi-Family (R-2B-PUD), and Multi-Family (R-4A-PUD); 4) **Resolution No. 2010-574** approving the Curtis Park Village Inclusionary Housing

Plan; 5) **Resolution No. 2010-575 as amended** approving the Curtis Park Village Planned Unit Development Guidelines and Schematic Plan; and 6) **Resolution No. 2010-576 as amended** approving the Curtis Park Village project entitlements including a Large Lot Tentative Subdivision Map, Tentative Subdivision Map, and Subdivision Modifications.

Contact: Heather Forest, Associate Planner, (916) 808-5008; Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department.

Discussion Calendar (Item 23)

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

23. **Estimated Time: 30 minutes** (Actual Time: 25 minutes)
Small Business Development and Employment Advisory Board Employee Committee Fire Department Equal Employment Opportunity (EEO) Analysis
Location: (Citywide)

Action: Received and filed.

Contact: Ken Fleming, Manager, (916) 808-5825, Office of Civil Rights, Human Resources Department.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Kevin McCarty
 - 1. AB1234 compliance – reported his trip to the annual League of California Cities conference
- b. Mayor Johnson
 - 1. City Manager to prepare white paper on establishing a public safety academy recruitment plan to invite more minority applicants

2. Board/Commission Appointments

None.

Adjourned – 8:52 p.m.