



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

DRAFT Minutes

Tuesday, October 13, 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, October 13, 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, October 13, 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, and Mayor Kevin Johnson.

Absent: Member Robbie Waters

Pledge of Allegiance – led by Assistant City Manager Gus Vina.

Closed Session Report– None.

Special Presentations/General Communications

a. **Youth of the Month Award for Maria Farinias**

Action: Presented by Member Robert King Fong.

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

1. Safe Ground-Homelessness
 - a. Thomas W DeOllos
 - b. Ento
 - c. James Edwards III
 - d. Michael Tipper
 - e. Lillian Hanson
 - f. Tracie Bailey
 - g. Tom Armstrong
2. Councilmember Voting
 - a. Ron Emslie
3. Youth Violence
 - a. Rhonda Erwin

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

Action: Moved/Seconded: Member Robert King Fong/Member Sandy Sheedy

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

Absent: Member Robbie Waters

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 29, 2009.**
Location: (Citywide)
Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for September 29, 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: (District 6)
Action: Opened an application period for 1) Parks and Recreation Commission to fill eleven position(s), opening on 10/14/09 with applications due on 11/06/09; and 2) Planning Commission to fill 11 position(s) opening on 10/14/09 with applications due on 11/06/09.
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk.
3. **Ordinance Amendment: Repeal and Re-Enact City Code Chapter 2.60 Relating to the Planning Commission (M09-033)** (Published on 10-02-09)
Location: (Citywide)
Action: Adopted **Ordinance No. 2009-044** repealing and re-enacting City Code Chapter 2.60 and amending Section 2.40.030 relating to Planning Commission **with the entire Ordinance published in the City's official newspaper.**
Contact: Stephanie Mizuno, Assistant City Clerk, Office of the City Clerk, (916) 808-7200, David Kwong, Planning Director, (916) 808-2691, Community Development Department.
4. **Ordinance Amendment: Repeal and Re-enact City Code Chapter 2.62 Relating to the Parks and Recreation Commission** (Published on 10-02-09)
Location: (Citywide)
Action: Adopt **Ordinance No. 2009-045** repealing and re-enacting City Code Chapter 2.62 relating to the Parks and Recreation Commission **with the entire Ordinance published in the City's official newspaper.**
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk, Lori Harder, Parks Support Services Manager, (916) 808-5172, Parks and Recreation Department.
5. **City Board and Commission Term Expiration List for 2010**
Location: (Citywide)
Action: Received and filed.
Contact: Stephanie Mizuno, Assistant City Clerk, 808-7200, Shirley Concolino, City Clerk, 808-7200, Office of the City Clerk.

6. **2008 California Reduction, Intervention and Prevention Program (CalGRIP) (G19001100)**

Location: (Citywide)

Action: Adopted **Resolution No. 2009-631** authorizing the City Manager or designee to: 1) accept \$400,000 in federal grant funding through the California Emergency Management Agency's 2008 CalGRIP; 2) establish a new grant project for the CalGRIP grant; 3) establish a \$400,000 (Fund 2702) revenue and expenditure budget within the CalGrip grant; 4) establish the necessary revenue and expense budgets (Fund 2703) within the CalGrip Grant, Office of Youth Development , Department of Parks and Recreation, and Kaiser Street Outreach Grant to fund the \$400,000 grant match requirement, and; 5) enter into agreements or contracts with program partners, as needed to implement the Youth Violence Recidivism Reduction Project.

Contact: Lyn Corbett, Office of Youth Development Director, (916) 808-8849, Office of the City Manager.

7. **Supplemental Agreement: Legal Services for Intermodal Site Acquisition**

Location: Downtown next to Sacramento Valley Station between I Street Bridge and 7th Street (District 1)

Action: Moved/Seconded: Member Robert King Fong/Member Sandy Sheedy

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

No: Member Kevin McCarty

Absent: Member Robbie Waters

Removed from consent by Member Kevin McCarty and a motion **passed** to adopt **Resolution No. 2009-632** approving Supplemental No. 2 to City Agreement 2007-0579 with Miller, Owen and Trost for the arbitration needed to the complete Intermodal Site Acquisition increasing the agreement by \$125,000 for a total consideration in an amount not to exceed \$575,000.

Contact: Sheryl Patterson, Senior Deputy City Attorney, (916) 808-5346, Office of the City Attorney.

8. **Administrative Matter: Ratification of Resolutions for Agreements for the Building Trades Unit, Automotive/Equipment Mechanics Unit, Engineering Unit and Fire Department Unit**

Location: (Citywide)

Action: **Continued** to ratify the July 28, 2009 City Council action by adopting 1) a **Resoluton** authorizing an agreement covering the Building Trades Unit; 2) a **Resoluton** authorizing an agreement covering the Automotive/Equipment Mechanics Unit; 3) a **Resoluton** authorizing an agreement covering the Engineering Unit and 4) a **Resoluton** authorizing an agreement covering the Fire Department Unit.

Contact: Dee Contreras, Director, (916) 808-5424, Labor Relations Department.

9. **Grant/Agreement: California Office of Traffic Safety Sobriety Checkpoint Grant Award**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-637** 1) authorizing the City Manager or designee, the Chief of Police, to accept \$100,648 in grant funding from the California Office of Traffic Safety; 2) increasing the Police Department's Grant Operating and Grant Revenue budgets in an amount of \$100,648; and 3) authorizing the City Manager or designee to enter into an agreement with program partners, as needed, to implement the 2009/10 Sobriety Checkpoint Program.
Contact: Gina Haynes, Lieutenant, (916) 808-0714, Police Department.
10. **Jack Rea Park Master Plan (L19204000)**
Location: 355 Redwood Avenue (District 2)
Action: Adopted **Resolution No. 2009-638** approving the Jack Rea Park Master Plan.
Contact: Dennis Day, Associate Landscape Architect, (916) 808-7633, J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Parks and Recreation Department.
11. **Contract: Kroy Pathway Improvements Project (T15095700)**
Location: Kroy Pathway between 65th Street and Kroy Way (District 6)
Action: Adopted **Resolution No. 2009-639** 1) approving plans and specifications for the project; and 2) awarding the contract to Biondi Paving, Inc. to install stamped and colored concrete, wrought iron fence, lights, security video camera, landscaping, ADA curb ramps, and metal beam guard rail along Highway 50 to the 65th Street off-ramp for an amount not to exceed \$144,344.
Contact: Faramarz Ansari, Associate Civil Engineer, (916) 808-1166, Tim Mar, Supervising Engineer, (916) 808-7914, Transportation Department.
12. **Contract: Citywide Non-Landscape Median Maintenance**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-640** 1) awarding a one-year contract, with up to two one-year renewal options, to Roush Landscape Services for the purchase of streetscape maintenance services for the total amount of the contract, with extensions, not to exceed \$174,000.
Contact: Erick Talavera, Program Specialist, (916) 808-2272, Juan Montanez, Street Services Manager, 808-2254.
13. **Parking Enforcement Citation and Arrest Authority**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-641** granting citation and arrest authority to certain employees in the Parking Services Division within the Department of Transportation.
Contact: Dean Fujimoto, Operations General Supervisor, (916) 808-5579, Transportation Department.

14. **Purchase/Cooperative Agreement: Aggregate and Asphalt Materials**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-642** approving the use of Cooperative Purchasing Agreement (WA00025184) between the County of Sacramento and 1) Teichert Aggregates for the purchase of asphalt and aggregate materials for a not-to-exceed amount of \$2.25 million, and 2) Granite Construction Company for the use of asphalt and aggregate materials for a not-to-exceed amount of \$1.75 million.
Contact: Juan Montanez, Street Services Manager, (916) 808-2254, Transportation Department.
15. **Re-Establishing and Changing Speed Limits on Various Streets; and Rescinding Resolution No. 2009-282**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-643** 1) re-establishing and changing speed limits on 38 speed zones on various streets, and 2) rescinding City Council Resolution No. 2009-282.
Contact: Mahesh Bhatt, Associate Engineer, (916) 808-5956, and David Edrosolan, Associate Engineer, (916) 808-5974, Transportation Department.
16. **Supplemental Agreement: 5th & 6th Street Assignment Agreement and Appropriation of Funds (T15098800 and T15029005) [To Be Delivered]**
Location: (District 1)
Action: Adopted **Resolution No. 2009-644** authorizing the City Manager to execute the First Amendment to the Assignment and Assumption Agreement for the 5th and 6th Street Overpasses with S. Thomas Enterprises of Sacramento, LLC (Thomas) for payment of final design costs in the amount of \$1,132,726.21 and appropriation of funds.
Contact: Fran Halbakken, Operations Manager, (916) 808-7194, Transportation Department.
17. **Contract: American Recovery And Reinvestment Act (ARRA) Water Meter Retrofit Project Phase 7 (PN: Z14010000)**
Location: (District 5)
Action: Adopted **Resolution No. 2009-645** awarding the contract for the project to Florez Paving to install 1,955 meters on unmetered residential and commercial water services within the project area for an amount not to exceed \$2,029,785.
Contact: David L. Brent, Engineering Services Manager, (916) 808-420, Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.

18. **Contract: American Recovery And Reinvestment Act (ARRA) Water Meter Retrofit Project Phase 9 (PN: Z14010000)**
Location: (District 4)
Action: Adopted **Resolution No. 2009-646** awarding the contract for the project to Sanco Pipelines, Inc. to install 1,170 meters on unmetered residential and commercial water services within the project area for an amount not to exceed \$1,326,110.
Contact: David L. Brent, Engineering Services Manager, (916) 808-420, Dan Sherry, Supervising Engineer (916) 808-1419, Utilities Department.
19. **Contract: American Recovery And Reinvestment Act (ARRA) Water Meter Retrofit Project Phase 10 (Z14010000)**
Location: (Districts 3 and 8)
Action: Adopted **Resolution No. 2009-647** awarding the contract for Phase 10 of the Water Meter Retrofit project to Advantage Demolition & Engineering to retrofit approximately 15,000 to 17,000 residential and commercial water service connections within the City of Sacramento for an amount not to exceed \$2,230,779.
Contact: David L. Brent, Engineering Services Manager, (916) 808-420, Dan Sherry, Supervising Engineer (916) 808-1419, Utilities Department.
20. **Agreement: Sacramento River Watershed Sanitary Survey Update (Z14000600)**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-648** authorizing the City Manager to execute a Memorandum of Understanding with six other municipal water purveyors for a sanitary survey update of the Sacramento River watershed area for a total project cost not to exceed \$200,000, and providing the option for participating agencies to share costs of follow-up activities on a voluntary basis.
Contact: Dave L. Brent, Engineering Services Manager, (916) 808-1420, Sherill Hunn, Supervising Engineer, (916) 808-1455, Utilities Department.

Public Hearings (Items 21 - 23)

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

21. **Estimated Time: 10 minutes**
Code Enforcement Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed 8-19-09)
Location: (Citywide)
Action: Moved/Seconded: Member Robert King Fong/Member Sandy Sheedy
Yes: Members Steve Cohn, Robert King Fong, Lauren Hammond, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, and Mayor Kevin Johnson.
Absent: Member Robbie Waters
Conducted a public hearing with public comment heard from Sandy Ng and upon conclusion, a motion **passed** to adopt **Resolution No. 2009-649 as amended** placing liens on the properties in the amount of \$98,265.00 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, Program Manager, (916) 808-8577, Code Enforcement Department.

22. **Estimated Time: 10 minutes**
Housing Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 9-9-09)
Location: (Citywide)

Action: Moved/Seconded: Member Sandy Sheedy/Member Robert King Fong

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

Absent: Member Robbie Waters

Conducted a public hearing with no public comment and upon conclusion, a motion **passed** to adopt **Resolution No. 2009-650 as amended** placing special assessment liens on the properties in the amount of \$559,970.00 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.

23. **Estimated Time: 1 minute**
Call-Up: Club Center Treepole for Verizon (P09-003) (Noticed on 9-11-09, Continued from 10-6-09)
Location: (Citywide)

Action: Moved/Seconded: Member Robert King Fong/Member Sandy Sheedy

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

Absent: Member Robbie Waters

A motion **passed** to continue to October 20, 2009.

Contact: Elise Gumm, LEED AP, Associate Planner, (916) 808-1927, Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department

Discussion Calendar/Staff Reports (Items 24 and 25)

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

24. **Estimated Time: 15 minutes**
Staff Report: Attendance Centers for 2008/2009 School Year
Location: (Citywide)

Action: Received and filed with public comment heard from Tera Diggs, Tim Nicholas, Lorena Sanchez, Oralia Bermudez, and Neng Vang.

Contact: Lyn Corbett, Office of Youth Development Director, (916) 808-8849, Office of the City Manager, Lieutenant William Champion, (916) 808-0312, Police Department.

25. **Estimated Time: 5 minutes**

Agreement: Sacramento Students Today Achieving Results for Tomorrow (START) State Grant

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, and Mayor Kevin Johnson.

Absent: Member Robbie Waters

A motion **passed** to adopt **Resolution No. 2009-651** 1) authorizing the City Manager to execute an agreement and any extensions, amendments, reapplications or other related documents with the State of California as necessary for the City to accept funding for a one-year grant for 59 sites for the Sacramento START after-school program in an amount not to exceed \$7,532,771 during Fiscal Year (FY) 2009/10; and 2) authorizing the City Manager or designee to adjust the necessary operating revenue and expenditure budgets to implement the grant

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

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Sandy Sheedy-send Ordinance to Law and Legislation Committee defining "temporary" in regards to Storage Pods.
- b. Member Kevin McCarty-Agendize possible urgency Ordinance regarding a special permit requirement for future bottled water facilities and whether tiered water rates for commercial water bottling is doable?

2. Board and Commission Appointments

None.

Adjourned at 7:17 pm.