



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

DRAFT Minutes

Tuesday, May 12, 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 12, 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 Roll Call - Regular session called to order by Mayor Kevin Johnson at 6:02 p.m. Tuesday, May 12, 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 Steve Cohn.

Closed Session Report- None.

Special Presentations/General Communications

a. **Youth of the Month**

Action: Presented by Member Bonnie Pannell to Erika Sims

b. **2009 Pacific Rim Festival Update/Appreciation of Support by Mayor/Council**

Action: Presented by Member Rob Fong.

c. **Commemorating Sacramento Regional Conservation Corps (SRCC) 12th Annual Breakfast on the River**

Action: Presented by Member Lauren Hammond to Dwight Washabaugh.

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

1. Bryan Lee Davies-Canna Care Crusaders Hall
2. Michael Day-Regional Energy Alliance
3. John Kuaiutz-Safe Ground
4. Michael Weil-Safe Ground

Consent Calendar (Items 1 – 22) **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 April 30, 2009**
Location: (Citywide)
Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for April 30, 2009.
Contact: Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk.

2. **Open an Application Period for the Parks and Recreation Commission**
Location: (Citywide)
Action: Opened an application period for the Parks and Recreation Commission to open 05/13/09 with applications due 06/12/09.
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: Parks and Recreation Commission Membership**
(Passed for Publication on 5-5-09, Published on 5-9-09)
Location: (Citywide)
Action: Adopted **Ordinance No. 2009-024** amending City Code Section 2.62.020 relating to membership requirements of the Parks and Recreation Commission.
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk, Marcy Tierce, Administrative Analyst, (916) 808-5129, Parks and Recreation Department.

4. **Eleventh Amendment to the Redevelopment Plan and 2008-2012 Amended Implementation Plan for the Del Paso Heights Redevelopment Project; and related Ordinance Amendments** (Passed for Publication on 5-5-09, Published on 5-9-09)
Location: Del Paso Heights Redevelopment Project Area (District 2)
Action: Adopted an **Ordinance No. 2009- 025** amending Ordinance Nos. 2884, Fourth Series, 2913, Fourth Series, 85-047, 86-108, 94-046, 98-045, 2003-029, 2003-066, 2005-028, 2005-079 and 2007-035, approving and adopting the Eleventh Amendment to the Redevelopment Plan for the Del Paso Heights Redevelopment Project.
Contact: Lisa Bates, Deputy Executive Director, (916) 440-1316, Chris Pahule, Assistant Director, Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency.

5. **(Pass for Publication) Ordinance Amendment: Newsracks on the K Street Mall**
Location: K Street from 7th to 13th (District 1)
Action: 1) Reviewed an Ordinance repealing and reenacting Sacramento City Code Sections 12.44.290, 12.44.300, 12.44.310, 12.44.320 and enacting Sections 12.44.295 and 12.44.325 relating to newsracks on the K Street Mall; and 2) passed for publication the Ordinance title as required by the Sacramento City Charter (32c) to be adopted on May 19, 2009.

Contact: Denise Malvetti, Senior Project Manager, (916) 808-7064 and Leslie Fritzsche, Downtown Development Manager, (916) 808-5450, Economic Development Department.

6. Grant Application: Firefighter Wellness/Fitness Initiative Program

Location: (Citywide)

Action: Adopted **Resolution No. 2009-275** 1) authorizing the City Manager to apply for grant funding for the implementation of the program; 2) accepting any federal funds awarded; 3) establishing an operating grant, if awarded, for the program including revenue and expenditure budgets.

Contact: Kim Iannucci, Assistant Fire Chief, (916) 556-6590, Ray Jones, Fire Chief (916) 808-1601, Fire Department.

7. Grant/Agreement: Participation in National Urban Search and Rescue (US&R) Response System

Location: (Citywide)

Action: Adopted **Resolution No. 2009-276** authorizing the City Manager, or his designee, to enter into a tri-party Memorandum of Agreement (MOA) with the Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA), the State of California Emergency Management Agency (Cal EMA), and the City of Sacramento regarding participation in the National Urban Search & Rescue (US&R) Response System.

Contact: Ed Vasques, Assistant Chief, (916) 264-7522, Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department.

8. Supplemental Agreement: Tentative Agreement in the Police Department Unit

Location: (Citywide)

Action: Adopted **Resolution No. 2009-277** approving Supplemental No. 1 to City Agreement 2005-0053 covering employees in the Police Department Unit, and extending it through June 28, 2013.

Contact: Dee Contreras, Director of Labor Relations, and Lisa Hutchins-, Labor Relations Officer, (916) 808-5424, Labor Relations Department.

9. Capital Improvement Program: Steve Jones Park Phase 2 Project (L19164001)

Location: 2331 Casa Linda Drive (District 8)

Action: Adopted **Resolution No. 2009-278** 1) transferring \$379,275 in Park Development Impact Fees, Fund 3204, from Manuel Silva Park (L19176000) to the project; and 2) closing Manuel Silva Park project (L19176000).

Contact: Sonja Jarvis, Accountant Auditor, (916) 808-8824, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.

- 10. Jefferson Park Master Plan Update**
Location: 1990 Roma Court (District 1)
Action: Adopted **Resolution No. 2009-279** approving the Jefferson Park Master Plan Update.
Contact: Tin-Wah Wong, Associate Landscape Architect, (916) 808-5540, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.
- 11. Grant/Agreements: American Reinvestment and Recovery Act (ARRA) of 2009 Funding**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-280 as amended** 1) appointing the City Manager, Assistant City Managers, Director of Parks and Recreation as agents of the City of Sacramento, each with the authority to prepare and submit grant proposals associated with the 2009 ARRA in amounts up to \$1,500,000 per proposal; 2) authorizing the City Manager or designee to execute all necessary agreements, establish related revenue and expenditure budgets for awarded grant funds and appropriate the grant funds contingent on receipt of award; 3) authorizing the City Manager or designee to execute any required grant amendments in amounts up to \$25,000 for grant awards up to \$250,000 and up to 10% of the original grant amount for grant awards exceeding \$250,000; 4) authorizing the City Manager to fill vacant and/or defunded Full Time Equivalent (FTE) positions if fully offset by awarded ARRA grant funds up to \$1,500,000; 5) authorizing the City Manager to add up to 25 FTE associated with the implementation of ARRA grant funded programs, if those positions are offset by awarded grant funds, and 6) directing staff to report back to the City Council within 60-days on any ARRA grant award.
Contact: Jonathan Rewers, Parks and Recreation Analyst, (916) 808-7590, Parks and Recreation Department.
- 12. Contract: 2009 Seal Coat Project (R15072015)**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-281** 1) approving specifications for the project; 2) awarding the contract to Intermountain Slurry Seal, Inc. to perform the annual preventive maintenance strategy applied to street surfaces about once every ten years to extend the useful life of the existing pavement in an amount not to exceed \$2,512,779; and 3) transferring funds in the amount of \$2,973,462 to the project.
Contact: Greg Smith, Associate Engineer, (916) 808-8364, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.
- 13. Speed Limits on Various Streets**
Location: Various streets (Districts 1, 2, 3, 4, 5, 6 and 8)
Action: Adopted **Resolution No. 2009-282** 1) re-establishing and changing speed limits on 43 speed zones on various streets, and 2) rescinding Resolution No. 2008-453.
Contact: Mahesh Bhatt, Associate Engineer, (916) 808-5956, and David Edrosolan, Associate Engineer, (916) 808-5974, Transportation Department.

14. **Contract: R Street Bridge Conversion Project (K15030000)**
Location: R Street Bridge Conversion between 2nd Street and Front Street (District 1)
Action: Adopted **Resolution No. 2009-283** 1) approving plans and specifications; and 2) awarding the construction contract to Lund Construction to convert the R Street California State Park Railroad Bridge spanning over I-5 into a bicycle and pedestrian bridge in an amount not to exceed \$197,410 for the project.
Contact: Salam Shehadeh, Associate Engineer, (916) 419-8407, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.
15. **Supplemental Agreement: West El Camino Avenue & Interstate 80 Interchange Signalization Project (S15084800)**
Location: (District 1)
Action: Adopted **Resolution No. 2009-284** 1) approving a Supplemental Agreement No. 1 to City Agreement No. 2008-0615 with David Evans and Associates, Inc. for an amount not to exceed \$74,815; 2) authorizing the City Manager to execute a supplemental agreement; and 3) approving the transfer of \$74,815 from the North Natomas Finance Plan (Fund 3201) to the project.
Contact: Jesse Gothan, Associate Engineer (916) 808-6897, Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.
16. **Restriction of Traffic: Alleyway Bounded Between 44th/45th/S/T Streets; Restricted Traffic Proceeding No. RT09-02**
Location: (District 6)
Action: Adopted **Resolution No. 2009-285** authorizing the restriction of vehicular and pedestrian traffic through the alley bounded between 44th/45th/S/T Streets.
Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918, Thomas Adams, Engineering Technician, (916) 808-7929, Transportation Department.
17. **Contract: Broadway Streetscape Improvements from 36th Street to Stockton Boulevard Project (T15036101)**
Location: (District 5)
Action: Adopted **Resolution No. 2009-286** 1) approving plans and specifications; and 2) authorizing the City Manager to enter into a contract with M & M Electric to install a traffic signal at the intersection of Broadway and 42nd Street, installing street lights, upgrading curb ramps, constructing truncated domes, installing fiber optic system, and striping on Broadway from 36th Street to Stockton Boulevard in an amount not to exceed \$373,747.
Contact: Faramarz Ansari, Associate Civil Engineer, (916) 808-1166, Tim Mar, Supervising Engineer, (916) 808-7914, Transportation Department.

18. Supplemental Agreement: Sacramento Intermodal Transportation Facility Project (T15029000) and Track Relocation Project (PN: T15029005)

Location: In the Railyards Specific Plan area between I Street Bridge and Seventh Street (District 1)

Action: Adopted **Resolution No. 2009-287** 1) appropriating \$1,350,000 of Federal Highways Administration (FHWA) Section 1301 funds (Fund 3703) into the Sacramento Intermodal Project; 2) approving Supplemental Agreement No. 5 to City Agreement No. 2008-0034 with TranSystems in an amount not to exceed \$1,400,000 for final design of the Track Relocation Project; 3) directing staff to amend the Capital Improvement Program revenue and expenditure budgets in appropriating \$806,067 (Fund 3703) to the Track Relocation Project when the federal paperwork is approved; and 4) authorizing the City Manager to enter into a subsequent supplemental agreement for final design with TranSystems in an amount not to exceed \$806,067 when the FHWA Section 1301 funds become available; and 5) resetting the City Manager's authority.

Contact: Jon Blank, Supervising Engineer, (916) 808-7923, Hinda Chandler, Senior Architect, (916) 808-8422, Transportation Department.

19. Investment Report for the Quarter Ended March 31, 2009 and the Monthly Transactions for the Month Ended March 31, 2009

Location: (Citywide)

Action: Accepted the Quarterly Investment Report for quarter ended March 31, 2009 and the Monthly Investment Transactions for the month ended March 31, 2009

Contact: Lydia Abreu, Investment and Operations Manager, (916) 808-7746, John Colville, Senior Investment Officer, (916) 808-8297, Shirley Tupaz, Investment Operations Analyst, (916) 808-8295, Office of the City Treasurer.

20. Extension of Banking Services

Location: (Citywide)

Action: Adopted **Resolution No. 2009-288** 1) authorizing the City Treasurer to negotiate a one year to 18 month extension to the Banking Services Agreement with Bank of America (Agreement No. 2004-0772) and 2) authorizing the City Treasurer to enter into an agreement implementing such extension on terms and conditions acceptable to the City Treasurer.

Contact: Russell T. Fehr, City Treasurer, (916) 808-5832, Lydia Abreu, Investment and Operations Manager, (916) 808-7746, Office of the City Treasurer.

21. Contract/Purchase: Liquid Fluorosilicic Acid

Location: (Citywide)

Action: Adopted **Resolution No. 2009-289** 1) awarding a one-year contract with four one-year renewal options to Solvay Fluorides, LLC for the purchase of liquid fluorosilicic acid in an amount not to exceed \$2,994,553 for the potential maximum five year term; and 2) authorizing the City Manager or the City Manager's designee to execute the 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, General Services Department and Dave Phillips, Water Sewer Superintendent, (916) 808-5652, Utilities Department.

22. Supplemental Agreement: Southeast Sacramento Transmission Main Preliminary Engineering Services (Z14004000)

Location: (Citywide)

Action: Adopted **Resolution No. 2009-290** authorizing the City Manager to execute Supplemental Agreement No. 1 to City Agreement No. 2006-0693 with West Yost Associates (WYA) to increase the amount of WYA's existing Professional Services Agreement for Phase 1 of the Southeast Sacramento Transmission Main Project for an amount not-to-exceed \$114,211.

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

Public Hearings (Items 23 - 26)

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

23. Estimated Time: 30 minutes

Ordinance Amendment: Central City Urban Design Guidelines/Central Core Design Review District and Central City Design Review District and the CBD-SPD Zone (M05-084) (Noticed on 4-29-09, Passed for Publication on 5-5-09, Published on 5-9-09)

Location: (Districts 1, 3, and 4)

Action: Moved/Seconded: Member Robert King Fong/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

A motion passed to continue to 5-19-09.

Contact: Gregory B. Taylor, AIA, Senior Urban Designer, (916) 808-5268; Luis R, Sanchez, AIA, Senior Architect, (916) 808-5957; William R. Crouch, AIA, NCARB, FRAIA, Urban Design Manager (916) 808-8013, Development Services Department.

24. Estimated Time: 20 minutes

Call Up: 403 38th Street Tentative Map (Z08-144) (Noticed on 5-1-09)

Location: 403 38th Street (District 3)

Action: Moved/Seconded: Member Robbie Waters/Member Sandy Sheedy

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

Recused: Member Steve Cohn.

Conducted a public hearing with public comment heard from Mike Klein and Dean Dana III ; and upon conclusion a motion **passed** to adopt 1) **Resolution No. 2009-291** determining the project exempt from environmental review; and 2) **Resolution No. 2009-292** approving the 403 38th Street Tentative Map with a subdivision modification.

Contact: Robert W. Williams, Associate Planner, (916) 808-7686, Sandra Yope, Senior Planner, (916) 808-7158, Development Services Department.

25. Estimated Time: 30 minutes

Agreement: 2009 Homeless Prevention and Rapid Re-Housing Program and Substantial Amendments to the 2008-2012 Consolidated Plan and 2009 Action Plan (Noticed on 4-2-09)

Location: (Citywide)

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 Patti Uplinger, Bob Erlenbusch and Sandra Hamamch; and upon conclusion, a motion **passed** to 1) adopt a **City Resolution No. 2009-293** authorizing the Sacramento Housing and Redevelopment Agency (SHRA) to: 1) accept the environmental findings; 2) submit, on behalf of the City of Sacramento, the Homeless Prevention and Rapid Re-Housing (HPRP) application and substantial amendment to the U.S. Department of Housing and Urban Development (HUD), and amend the 2008-2012 Consolidated Plan and the 2009 Action Plan; 3) approve the HPRP Program; 4) accept, on behalf of the City of Sacramento, the federal allocation for the HPRP Program and to expend funds pursuant to funding requirements; 5) administer and implement the HPRP Program on behalf of the City of Sacramento; 6) issue a Request for Proposals and award, execute agreements/contracts, and such additional documents, and to take such additional actions, as necessary to implement the HPRP Program pursuant to funding requirements and Agency Procurement Policy, each in a form approved by Agency Counsel; 7) enter into a Memorandum of Understanding (MOU), on behalf of the City of Sacramento, with the Sacramento County Department of Human Assistance (DHA) to assist with the implementation and administration of the HPRP Program.

Contact: Lisa Bates, SHRA Deputy Executive Director, (916) 440-1319, Cindy Cavanaugh, Assistant Director, SHRA, (916) 440-1317, Debra Morrow, Acting Deputy Director, DHA, (916) 875-3667, Sacramento Housing and Redevelopment Agency.

26. Estimated Time: 30 minutes

North Natomas Financing Plan 2008 Update – Approving Development Fees and Nexus Study and Amending the North Natomas Development Agreement [To Be Delivered] (Noticed on 5-1-09 and 5-8-09)

Location: (District 1)

Action: Moved/Seconded: Member Ray Tretheway/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 continue to May 26, 2009.

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

Discussion Calendar/Staff Reports (Items 27 and 28)

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

27. Estimated Time: 15 minutes

Agreement: Disadvantaged Business Enterprise (DBE) Program Race-Conscious Component

Location: (Citywide)

Action: Moved/Seconded: Member Lauren Hammond/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

A motion **passed** to adopt **Resolution No. 2009-295** 1) approving the Disadvantaged Business Enterprise (DBE) revised Race-Conscious goal at 17.5% and a Race-Neutral goal at 7.1%, for an overall program goal of 24.6%, for federally funded transportation projects for the 2008-2009 federal fiscal year; and 2) authorizing the City Manager to execute the DBE Program Implementation Agreement.

Contact: Charlotte A. Broussard, DBE Liaison Officer, Economic Development Department, (916) 808-8174, James R. Rinehart, Citywide Division Manager, (916) 808-5054, Economic Development Department.

28. Estimated Time: 45 minutes

Ordinance Amendment: Water Conservation (Passed for Publication on 4-30-09 Published on 5-1-09)

Location: (Citywide)

Action: Moved/Seconded: Member /Member

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 from Chuck Knutson, Ronald Stork, Tom Gohring, Chris Brown, Ron O'Connor and David Roberts; and a motion **passed** to adopt an **Ordinance No. 2009-026** repealing and reenacting Article XI of Chapter 13.04 of the Sacramento City Code, establishing outdoor water use requirements and penalties for noncompliance.

Contact: Jessica Hess, Media and Communication Specialist, (916) 808-8260 Marty Hanneman, Assistant City Manager, Director of Utilities, (916) 808-7508, Utilities Department.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Sandy Sheedy-Factoring State Reductions into the Budget Hearings

Adjourned at 8:10 p.m. in memory of Carrie Sue Williams and Mary Isabel Maher Cisneros.