



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

DRAFT Minutes

Tuesday, July 20, 2010

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, 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
Gus Vina, Interim 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 - July 20, 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 6:05 p.m. Tuesday, July 20, 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 Erika Sims, student participant in Youth @ City Council Program.

Closed Session Report – None.

Special Presentations/General Communications

- a. **Honoring Sacramento Regional Community Foundation for the “One Day to Prevent Homelessness” Campaign**

Action: Resolution presented to Tim Brown.

- b. **Recognizing the Sacramento Sierra Chapter of the American Red Cross**

Action: Presented by Member Bonnie Pannell to Christy Woods, Dawn Lindblom, Carol Willis and Lynne Halsted.

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

1. Safeground and Homelessness
 - a. Paula Lamazzi
 - b. Peggy Peterson
 - c. Tracie Rice-Bailey
 - d. Renee Davenport
 - e. Alex Kanode
 - f. Jeff Landon
 - g. John Krintz
 - h. Frank Topping
 - i. Dale Jones
2. Youth Violence
 - a. Rhonda Irwin

Consent Calendar (Items 1 - 13) Estimated Time: 2 minutes (Actual Time: 4 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. Ordinance Amendment: Amending Various Sections of the Sacramento City Code
Location: Citywide

Action: Adopted **Ordinance No. 2010-021** amending and repealing various code sections and correcting various grammatical or typographical errors of the Sacramento City Code.

Contact: Eileen Teichert, City Attorney, (916) 808-5346 and Michael Benner, Senior Deputy City Attorney, (916) 808-5346, Office of the City Attorney.

2. June 8, 2010 Primary Election Results and Call for a November 2, 2010 General (Run-Off) Municipal Election

Location: (Citywide)

Action: Adopted: 1) **Resolution No. 2010-412 as amended** accepting the results of the June 8, 2010 primary municipal election as certified by the County Registrar of Voters; and 2) **Resolution No. 2010-413** calling to the general municipal election ballot of November 2, 2010 a contest among the top two candidates in Districts 5 and 7 chosen at the primary election.

Contact: Shirley Concolino, City Clerk, (916) 808-5442 and Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Office of the City Clerk.

3. Candidate Statement Regulations for November 2, 2010 General Municipal Election

Location: (Citywide)

Action: Adopted **Resolution No. 2010-414** adopting regulations for candidates for elective office pertaining to candidate statements submitted to the voters at the November 2, 2010 General Municipal Election.

Contact: Shirley Concolino, City Clerk, (916) 808-5442 and Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Office of the City Clerk.

4. Reimbursement of North Natomas Land Acquisition Fee Credits

Location: North Natomas Financing Plan Area (District 1)

Action: Moved/Seconded: Member Sandy Sheedy/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.

Adopted **Resolution No. 2010-415** 1) approving the reimbursement of North Natomas land-acquisition-fee credits; and 2) appropriating \$24,263,740 in land acquisition developer fee revenue and associated interest for the reimbursement

Contact: Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department; John Dangberg, Assistant City Manager, Office of the City Manager (916) 808-1222.

5. Sports Commission Financing

Location: (Citywide)

Action: Adopted **Resolution No. 2010-416** 1) approving and authorizing the City Manager, or his designee, to execute a Memorandum of Understanding with the Sacramento Region Sports Education Foundation regarding the annual City and County funding to the Sacramento Sports Commission.

Contact:, John McCCasey, Executive Director, Sacramento Sports Commission, (916) 808-6566; Karolyn Pelka, Administrative Officer (916) 808-5898, Barbara Bonebrake, Director, (916) 808-8225, Convention, Culture & Leisure.

6. Ballot Results: Del Paso Boulevard Property and Business Improvement District (PBID) No. 2010-01

Location: Del Paso Boulevard Commercial Corridor (District 2)

Action: 1)Received report on the tabulation of assessment ballots submitted and not withdrawn before the public hearing closed on July 13, 2010; and 2) based on the results of the tabulation adopted: a) **Resolution No. 2010-417** declaring the results of the majority-protest proceedings and renewing the Del Paso Boulevard PBID No. 2010-01; b) **Resolution No. 2010-418** approving the annual Del Paso Boulevard PBID No. 2010-01 budget and levying assessment; and c) **Resolution No. 2010-419** amending the proposed FY2010/11 City Budget for the Del Paso Boulevard PBID No. 2010-01.

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

7. Tentative Agreement:Traffic Engineering [To Be Delivered]

Location: (Citywide)

Action: Adopted **Resolution No. 2010-420** 1) approving the collective bargaining agreement covering employees in the Traffic Engineering Unit represented by Specialty Painters, Local 1176 including the salary schedules for 2010, 2012 and 2013; and, 2) authorizing budget approval for the three-year contract.

Contact: Geri Hamby, Director of Human Resources or VeRonica Busby, Labor Relations Officer, 808-5816.

8. Amend the FY2010/11 Approved Budget to Reduce Expenditures and Full Time Equivalent Positions (FTE) [To Be Delivered]

Location: (Citywide)

Action: **Withdrawn by staff** to adopt a **Resolution** amending the FY2010/11Approved Budget to align expenditures and FTE with the Council approved budget plan.

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

9. Supplemental Agreement: Labor Compliance Field Investigation and Administrative Services

Location: Citywide

Action: Adopted **Resolution No. 2010-422** 1) authorizing the City Manager or the City Manager's designee to execute Supplemental Agreement No. 4 to Agreement No. 2008-0199 with Diversified Contract Management Group in an amount not to exceed \$150,000 for a revised total agreement amount not to exceed \$328,508; and 2) ratifying all previous supplemental agreements issued under City Manager authority.

Contact: Malyssa Berry, Contracts & Compliance Specialist, (916) 808-1242; Rhonda Lake, Facilities & Real Property Superintendent, (916) 808-7902, General Service Department.

10. Contract Supplements: Purchase and Installation of Diesel Particulate Filters

Location: (Citywide)

Action: **Continued to 7-27-10** 1) authorizing the City Manager or the City Manager's designee to execute Contract Supplement No. 1 to Contract No. 2007-228 with A-Z Bus Sales, Inc. in an amount not to exceed \$340,000 for a revised total contract amount not to exceed \$740,000; 2) authorizing the City Manager or the City Manager's designee to execute Contract Supplement No. 1 to Contract No. 2007-229 with Cummins West, Inc. in an amount not to exceed \$500,000 for a revised total contract amount not to exceed \$1 million; and 3) authorizing the City Manager or the City Manager's designee to execute Contract Supplement No. 1 to Contract No. 2007-230 with Iron Man Parts and Services in an amount not to exceed \$314,000 for a revised total contract amount not to exceed \$664,000.

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

11. Contract: Tree Pruning and Removal Services (Continued from 7-13-10)

Location: (Citywide)

Action: **Continued to 7-27-10** to adopt a Resolution awarding a one-year contract with four one-year renewal options to George Salinas Tree Preservation for tree pruning and removal services in a total amount not to exceed \$2,153,900 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: Joe Benassini, Urban Forestry Manager, (916) 808-6258, Sonny Eboigbe, Procurement Analyst, Procurement Services, (916) 808-7432, Transportation Department.

12. Summary Vacation of a Portion of the Alleyway Located at 7114 Indian Lane

Location: 7114 Indian Lane Street (District 5)

Action: Adopted **Resolution No. 2010-424** vacating a portion of the public right-of-way between lot 130 and lot 131 as shown on the plat of Camellia Acres recorded in book 15 of maps, map 21 filed in the Office of the Recorder of Sacramento County ("alley"). The alley is adjacent to 7114 Indian Lane Street.

Contact: Jerry Lovato, Senior Engineering Technician, (916) 808-7918; Thomas Adams, Engineering Technician, (916) 808-7929, Department of Transportation.

13. Americans with Disabilities Act (ADA) Public Rights-of-Way Annual Prospective Plan for Fiscal Year 2010/11

Location: (Citywide)

Action: Adopted **Resolution No. 2010-425** approving the FY 2010/11 Prospective Plan for Accessibility Improvements in the Public Rights-of-Way.

Contact: Rocky Burks, Physical Access Manager, (916) 808-5521; Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.

Public Hearings (Item 14 - 17)

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

**14. Estimated Time: 15 minutes (Actual Time: 4 minutes)
Delinquent Utility Service Charges – Special Assessments upon the Properties to which the Charges are Related**

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, Robbie Waters and Mayor Kevin Johnson.

Conducted a public hearing and upon conclusion, a motion **passed** adopting **Resolution No. 2010-426** placing special assessments on properties for unpaid utility service charges.

Contact: Shelle Smallwood, Billing Manager, (916) 808-4928; Jamille Moens, Business Services Division Manager, (916) 808-5988, Utilities Department.

**15. Estimated Time: 15 minutes (Actual Time: 3 minutes)
Delinquent Charges-Special Assessment Liens for Sidewalk Repair on Private Property and Related Costs**

Location: (Citywide)

Action: Moved/Seconded: Member Sandy Sheedy /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.

Conducted a public hearing and upon conclusion, a motion **passed** adopting **Resolution No. 2010-427** placing special assessment liens on the listed properties for unpaid sidewalk repairs.

Contact: Brad Wasson, Revenue Manager, (916) 808-5844, Finance Department.

16. **Estimated Time: 15 minutes** (Actual Time: 3 minutes)
Delinquent Charges-Special Assessment Liens for Weed Abatement on Private Properties and Related Costs
Location: (Citywide)
Action: Moved/Seconded: Member Sandy Sheedy /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 and upon conclusion, a motion **passed** adopting **Resolution No. 2010-428 as amended** placing special assessment liens on the listed properties for unpaid weed abatement services.
- Contact:** Brad Wasson, Revenue Manager, (916) 808-5844, Finance Department.

17. **Estimated Time: 1 minute** (Actual Time: 1 minute)
Redding Avenue Landscaping CFD 2010-01
Location: (District 6)
Action: Continued to 8-5-2010.
Contact: Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

Discussion Calendar/Staff Reports (Item 18 - 24)

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

18. **Estimated Time: 30 minutes** (Actual Time: 45 minutes)
Ordinance Amendment: Relating to the Humane Treatment of Animals Performing in Travelling Commercial Animal Exhibitions (Passed for Publication on 6-22-10, published on 6-24-10) (Continued from 7-13-10)
Location: (Citywide)
Action: Moved/Seconded: Member Sandy Sheedy /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.
- Conducted a public hearing with public comment given by Carol Cage, Eric Mills, Suzi Johnston, Ed Stewart, Gail Laule, Elliot McKatz, Monica Engebretson, Linda Middlesworth, Debra Armstrong, Mel Richardson, Annie Hudson, Richard Harris, Bob Fox, Rick Johnson, Janet Weeks, Rosemary Freeborn, Brian Laird, Carrie Camarena, and George Raya, and upon conclusion, a motion **passed** adopting 1) **Ordinance No. 2010-022 as amended** amending Sections 9.44.020, 9.44.215, Subsection B and adding Article X, Sections 9.44.810 through 9.44.840 to the Sacramento City Code with regard to treatment, administrative penalties, permits and inspections for animals performing in travelling commercial animal exhibitions; 2) Regulations for the humane treatment of animals pursuant to the ordinance; and 3) **Resolution No. 2010-429** establishing permit fees for inspecting performing animals.
- Contact:** Michelle Heppner, Special Projects Manager, (916) 808-1226, Penny Cistaro, Animal Care Services Manager, (916) 808-7433, Office of the City Manager.

19. **Estimated Time: 10 minutes** (Actual Time: 30 minutes)
Convergence Plan: Status Report and Amendment to Extend the Term of the Exclusive Right to Negotiate Agreement
Location: Railyards, Natomas and Point West (Districts 1 and 2)
Action: Moved/Seconded: Member Ray Tretheway/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.
- Public comment provided by Mike Barnbaum and a motion **passed** 1) adopting **Resolution No. 2010-430** authorizing the City Manager or his designee to execute an amendment to City Agreement No. 2010-0305 with Sacramento Convergence, LLC to extend the term of the Exclusive Right to Negotiate Agreement for 60 additional days; and 2) receiving a status report on the Convergence Plan.
- Contact:** Betty Masuoka, Executive Project Manager, (916) 808-7942, Office of the City Manager; Rachel Hazlewood, Senior Project Manager, (916) 808-8645, Economic Development Department
20. **Estimated Time: 1 hour** (Actual Time: 1 minute)
Sutter's Landing Zoo Feasibility Study Final Report
Location: Sutter's Landing Regional Park (District 3) and various park sites throughout the City; various Planning Areas & Council Districts
Action: **Withdrawn** by staff to review and comment on the Sutter's Landing Zoo Feasibility Study Final Report and Sacramento Zoological Society presentation for mid-term improvements at existing Land Park location.
Contact: Scot Mende, New Growth & Infill Manager, (916) 808-4756, Community Development Department; J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Parks and Recreation Department; Mary Healy, Executive Director, (916) 808-5886 Sacramento Zoological Society.
21. **Estimated Time: 30 minutes** (Actual Time: 1 minute)
Youth Jobs and Opportunity Tax Ballot Measure [To Be Delivered]
Location: (Citywide)
Action: **Withdrawn by Councilmember Tretheway** to 1) Consider approval of the attached ordinance effective upon voter approval; and, if the ordinance is approved, 2) adopt a **Resolution** approving ballot measure text for placement on the November 2, 2010, General Municipal Election ballot.
Contact: Eileen Teichert, City Attorney and Matthew Ruyak Supervising Deputy City Attorney, (916) 808-5346, Office of the City Attorney.

22. **Estimated Time: 15 minutes** (Actual Time: 4 minutes)
November 2, 2010 General Municipal Election Ballot Measure(s)
[To Be Delivered]
Location: (Citywide)

Action: Moved/Seconded: Member Robert King Fong/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.

A motion **passed** adopting **Resolution No. 2010-432 as amended** calling and giving notice of various measure(s) to be included in the consolidated general municipal election of November 2, 2010.

Contact: Shirley Concolino, City Clerk, (916) 808-5442 and Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Office of the City Clerk.

23. **Estimated Time: 5 minutes** (Actual Time: 4 minutes)
Select Argument Authors for November 2, 2010 Ballot Measures
[To Be Delivered]
Location: (Citywide)

Action: Moved/Seconded: Member Robert King Fong /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** adopting **Resolution No. 2010-433** authorizing members of the City Council to author argument(s) for measure(s) approved by the City Council by July 20, 2010 to be submitted to the voters at the consolidated election of November 2, 2010; and establishing Councilmember Steve Cohn as argument author in support of the Marijuana Business Tax ballot measure.

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, Robbie Waters and Mayor Kevin Johnson.

A motion **passed** adopting **Resolution No. 2010-433** authorizing members of the City Council to author argument(s) for measure(s) approved by the City Council by July 20, 2010 to be submitted to the voters at the consolidated election of November 2, 2010; and to establish Mayor Kevin Johnson as argument author in opposition of the Utility Users Tax ballot measure.

Contact: Shirley Concolino, City Clerk, (916) 808-5442 and Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Office of the City Clerk.

24. **Estimated Time: 10 minutes** (Actual Time: 45 minutes)
Resolution: Governor's Minimum Wage Directive for State Employees
[To Be Delivered]
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.
- Public comment provided by Yvonne Walker, Margarita Maldonado, Clay Silva, Aja Uranga-Foster, Elvira Diaz and Maria Barber, and a motion **passed** adopting **Resolution No. 2010-435 as amended** opposing Governor Schwarzenegger's directive to cut state workers' pay to the federal minimum wage and urging him to rescind this action.
- Contact:** Patti Bisharat, Assistant City Manager, (916) 808-5704, Office of the City Manager.

25. **Resolution: City Attorney's Impartial Analysis for November 2, 2010 General Municipal Election Ballot Measure(s) [To Be Delivered]** (Actual Time: 5 minutes)
Location: (Citywide)
Action: Moved/Seconded: Member Robert King Fong/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.
- A motion **passed** adopting **Resolution No. 2010-434 as amended** directing the preparation of an impartial analysis for measure(s) approved by the City Council before July 20, 2010 for placement on the November 2, 2010 ballot.
- Contact:** Shirley Concolino, City Clerk, (916) 808-5442 and Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Office of the City Clerk.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Councilmember McCarty
 1. Agendize resolution urging federal government to resolve the Fanny Mae and Freddy Mac issues so that Sacramento can launch its energy efficiency loan program.
- b. Councilmember Sheedy
 1. Send to Law and Legislation Committee an ordinance to finance continued inspections of recycling centers by code enforcement because of copper thefts with attorney opinion for urgency adoption.
- c. Councilmember Waters
 1. Clarification that an ordinance is in place that states those selling copper must identify themselves and that City is citing for non-compliance
- d. Councilmember Hammond

1. Request of Mayor to move public comment to the end of the agenda and to add a 2PM meeting when agendas are full.

2. Board/Commission Appointments – None.

Adjourned – 8:38 p.m. in memory of Bob Creedon.