



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

DRAFT Minutes

Thursday, August 6, 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

Thursday, August 6, 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 6:02 p.m. Thursday, August 6, 2009 at the Sacramento City Hall Council Chamber.

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

Absent: Member Lauren Hammond arrived at 6:52 p.m.

Pledge of Allegiance – led by Member Steve Cohn.

Closed Session Report – None.

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

1. Mike Barnbaum-Down Syndrome Convention
2. Bill Grant-Senior Centers
3. Ron Emslie-Oak Park
4. Robert Stuter-Clean Air

Consent Calendar (Items 1-14) **Estimated Time: 5 minutes**

Action: Moved/Seconded: Member Robbie Waters/Member Bonnie Pannell

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

Absent: Member Lauren Hammond.

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 July 21, 2009**
Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for July 21, 2009.

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

2. **(Housing Authority/Redevelopment Agency) Taylor Terrace Apartments**

Location: 4058 Taylor Street (District 2)

Action: Adopted 1) **Housing Authority Resolution No. 2009-013** a) indicating the willingness of the Housing Authority of the City of Sacramento to issue up to \$10,000,000 in tax-exempt mortgage revenue bonds to provide acquisition, construction, and permanent financing for Taylor Terrace Apartments; b) authorizing an application to the California Debt Limit Allocation Committee (CDLAC) for authority to issue the bonds; and c) authorizing the Executive Director or her designee to execute all necessary documents associated with the application; and 2) **Redevelopment Agency Resolution No. 2009-048** a) approving a loan commitment from Aggregate Low/Moderate Tax Increment Housing Set-Aside funds for a loan of up to \$580,000 for the construction and permanent financing of the Taylor Terrace Apartments; b) authorizing the Executive Director or her designee to amend the Agency budget to allocate \$580,000 in Aggregate Low/Moderate Tax Increment Set-Aside Funds as a loan to the Developer; c) authorizing the Executive Director or her designee to execute the commitment letter; d) approving the Amended and Restated Owner Participation Agreement and related documents with LINC-Taylor Terrace Apartments LLC, or related entity; and e) consenting to an Assignment and Assumption Agreement.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1330, Christine Weichert, Assistant Director, Housing and Community Development, (916) 440-1353, Sacramento Housing and Redevelopment Agency.

3. **Agreements: Proposition 49/After-School Education and Safety Program**

Location: Sacramento County

Action: Adopted **Resolution No. 2009-502** authorizing the City Manager, or designee, to execute a subcontract agreement and any extensions, amendments, or other related documents with the Elk Grove Unified School District (EGUSD) as necessary for the City to continue to operate the After-School Education and Safety Program at EGUSD's Edward Harris Middle School during fiscal years 2009/10, 2010/11, 2011/12 with an option to renew for fiscal year 2012/13, and to receive reimbursement of up to \$85,000 per fiscal year from EGUSD during the term of the agreement.

Contact: Sylvia Fort, Division Manager, (916) 808-838, Kim Mohler, Recreation Superintendent, (916) 808-8378, Parks and Recreation Department.

4. **Park Development Impact Fee (PIF) Annual Report for Fiscal Years 2007/08 and 2006-07**

Location: (Citywide)

Action: Adopted **Resolution No. 2009-503** approving the City of Sacramento Park Development Impact Fee Report for Fiscal Years 2007/08 and 2006/07.

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

- 5. Annexation: Portion of 11th and C Streets into the Alkali Flats Residential Permit Parking Area (F)**
Location: The east side of 11th Street, from the B/C Alley to C Street, and the north side of C Street, from 11th Street to 12th Street (District 1)
Action: Adopted **Resolution No. 2009-504** annexing a portion of 11th and C Streets into the Alkali Flats Residential Permit Parking Area (F) and regulate with “Two Hour Parking, Except with Permit.”
Contact: Dean Fujimoto, Operations General Supervisor, (916) 808-5579, Transportation Department.
- 6. Annexation: 2500 Block of 14th Street into the Riverside Residential Permit Parking Area (G).**
Location: Both sides of 14th Street, from Burnett Way to 1st Avenue (District 4)
Action: Adopted **Resolution No. 2009-505** annexing both sides of 14th Street, from Burnett Way to 1st Avenue, into the Riverside Residential Permit Parking Area (G) and regulate with “No Parking, Except with Permit.”
Contact: Dean Fujimoto, Operations General Supervisor, (916) 808-5579, Transportation Department.
- 7. Annexation: 3100 Block of X Street into the Stockton/Alhambra Residential Permit Parking Area (O)**
Location: Both sides of X Street, from Alhambra Blvd. to 32nd Street (District 5)
Action: Adopted **Resolution No. 2009-506** annexing both sides of X Street, from Alhambra Blvd. to 32nd Street, into the Stockton/Alhambra Residential Permit Parking Area (O) and regulate with “One Hour Parking, Except with Permit.”
Contact: Dean Fujimoto, Operations General Supervisor, (916) 808-5579, Transportation Department.
- 8. West El Camino Avenue & Interstate 80 Signalization Project (S15084800)**
Location: West El Camino Avenue & Interstate 80 interchange (District 1)
Action: Adopted 1) **Resolution No. 2009-507** adopting the Mitigated Negative Declaration and Mitigation Reporting Plan; 2) **Resolution No. 2009-508** a) approving the budget transfer of \$2,690,000 from the South Natomas Facility Benefit Assessment Program (Fund 201) into the project; b) approving the transfer of \$190,000 from the project to the North Natomas Community Improvement Fund (Fund 3201); c) authorizing the City Manager to establish a \$189,500 revenue and expenditure budget (Fund 3702) in the project for the Riverdale North (P02-138) fair share contributions for the project; and d) approving the transfer of \$536,000 from the Street Overlays and Seals Program (R15072000) (Fund 2028) to the project.
Contact: Jesse Gothan, Associate Engineer (916) 808-6897, Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.

9. **Contract: 24th Street Landscaping Project between 50th Avenue and 57th Avenue Project (T15095600)**

Location: Western frontage of 24th Street from approximately 350' north of 50th Avenue to about 500' south of 57th Avenue (District 5)

Action: Adopted **Resolution No. 2009-509** 1) approving plans and specifications; and 2) awarding the construction contract to Gold Valley Construction to install landscaping and an irrigation system on the western frontage of the project in an amount not to exceed \$103,028.

Contact: Salam Shehadeh, Associate Engineer, (916) 808-8299, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.

10. **Increased Residential Permit Parking Restrictions on 48th Street**

Location: Both sides of 48th Street, from T Street to V Street (District 6)

Action: Adopted **Resolution No. 2009-510** changing the current two hour parking restrictions on 48th Street, from T Street to V Street to, "No Parking, Except with Permit."

Contact: Dean Fujimoto, Operations General Supervisor, (916) 808-5579, Transportation Department.

11. **Agreement: High Speed Rail**

Location: (Citywide)

Action: Moved/Seconded: Member Robbie Waters/Member Bonnie Pannell

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

Absent: Member Lauren Hammond.

Public comment heard from Mike Barnbaum and a motion **passed** to adopt **Resolution No. 2009-511** approving a Memorandum of Understanding to clarify the roles and responsibilities of the City of Sacramento and the California High Speed Rail Authority to ensure that efforts taken to promote and implement the high speed rail system are performed efficiently and in a coordinated manner.

Contact: Fedolia "Sparky" Harris, Senior Planner (916) 808-2996, Transportation Department.

12. **Agreement: Supervisory Control & Data Acquisition System Software Replacement Project (X14000200/Z14000900)**

Location: (Citywide)

Action: **Continued to August 18, 2009** to adopt a Resolution 1) authorizing the City Manager to sign a Professional Services Agreement with Trihedral Engineering Limited for software purchase, training, maintenance and support services for the project, for an amount not to exceed \$440,600; 2) transferring \$40,000 to the Pump Station Radio Telemetry Project (PN:X14000200, Fund 6006) from the Information Technology Project CIP budget (PN: Z14003601, Fund 6006); and 3) transferring \$70,000 to the Pump Station Radio Telemetry Project from the Information Technology Project CIP Budget (PN:714003601, Fund 6011).

Contact: David Brent, Engineering Manager, (916) 808-1420, Dave Hansen, Supervising Engineer, (916) 808-1421, Tedd Vallance, Information Technology Supervisor, (916) 808-5633, Utilities Department.

13. Contract: Landfill & Waste Disposal Services - BID#B093351025

Location: (Citywide)

Action: Adopted **Resolution No. 2009-513** 1) awarding a one-year non-professional services contract for landfill and waste disposal services with four one-year renewal options to L and D Landfill Ltd. Partnership in an amount not to exceed \$1,374,940 for the maximum five year term; and 2) authorizing the City Manager or the City Manager's designee to execute the annual renewal options provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

Contact: Michael Malone, Field Services Division Manager, (916) 808-6226, Ken Swartz, Warehouse Administrator, (916) 808-6276, Utilities Department.

14. Supplemental Grant Funding: Lower American River Salmonid Spawning Gravel Augmentation Project

Location: (Citywide)

Action: Adopted **Resolution No. 2009-514** accepting supplemental grant funding in the amount of \$151,000 for the Project and authorizing the City Manager to take any actions necessary to receive the additional grant funding.

Contact: Sarah Foley, Program Manager, (916) 808-1997, Kathy Howard, Administrative Analyst, (916) 808-1995, Utilities Department.

Discussion Calendar/Staff Reports (Item 15-19)

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

15. Estimated Time: 15 minutes

Annual Report: Access to Clean Syringes Programs

Location: (Citywide)

Action: Received and filed the second annual report on Access to Clean Syringes Programs in the City of Sacramento.

Contact: Glennah Trochet M.D., Sacramento County Public Health Officer, (916) 855-8851.

16. Estimated Time: 20 minutes

State Budget Update by Hugh Bower of Emanuels Jones Associates [Oral Report]

Location: (Citywide)

Action: Received and filed.

Contact: Mark Prestwich, Special Projects Manager, Governmental Affairs, (916) 808-5704, Office of the City Manager.

17. **Estimated Time: 5 minutes**
Railyards Title Settlement Agreement and Land Exchange: Sand Cove Park
Location: (District 1)
Action: Continued to August 18, 2009 to adopt a Resolution 1) approving the Sacramento Downtown Railyards Title Settlement and Exchange Agreement with State Lands Commission, State of California Department of Parks and Recreation and S. Thomas Enterprises of Sacramento, LLC; 2) authorizing the transfer of title for Sand Cove Park to the State Lands Commission; 3) approving leases with the State Lands Commission for Sand Cove Park and the Waterfront Parcel; and 4) authorizing legislation to allow for transfer of title for Sand Cove Park and the Waterfront Parcel from the State Lands Commission to the City.
Contact: J. P. Tindell, Park Planning and Development Manager, (916) 808-1955; Sheryl Patterson, Senior Deputy City Attorney, (916) 808-7292, Parks and Recreation Department.
18. **Estimated Time: 10 minutes**
Authorization to Negotiate and Execute a Loan/Grant for the Safe Drinking Water State Revolving Fund from the CA Dept of Health for the Water Meter Retrofit Project
Location: (Districts 1, 2, 4, 5, 6, 7, and 8)
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.
A motion **passed** to adopt **Resolution No. 2009-516** 1) authorizing the City Manager to negotiate and execute a Loan/Grant Funding Agreement for the Water Meter Retrofit Project Phases 1 through 9 under the California Safe Drinking Water State Revolving Fund and the American Recovery and Reinvestment Act of 2009, in the amount of \$20 million; 2) appointing the City Manager and authorized designees as the City's agents with authority to execute certifications and reports required for such funding, approve claims for reimbursement, execute budget and expenditure summaries, sign contractor's release forms, and sign certificates of project completion; 3) dedicating water user rate revenues in the Water Enterprise Fund as the source of revenue to repay the loan portion of the Funding Agreement (\$10 million); and 4) authorizing the Finance Director to amend the Water Fund operating budget and Water Meter Retrofit Project Budget (Z14010000) to reflect the Loan/Grant Funding revenue and expenditure authority related to this agreement.
Contact: David L. Brent, Engineering Manager, 808-1420; Rick Matsuo, Supervising Engineer, (916) 808-1728, Utilities Department.

19. **Estimated Time: 10 minutes**
Certification of Initiative Petitions as Sufficient

Location: (Citywide)

Action: Accepted the Sacramento County Registrar of Voters Certificate of Petition that declares the Independent Budget Analyst Act of 2009 petition and Government Accountability and Charter Reform Measure of 2009 petition as sufficient pursuant to law.

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

20. **Estimated Time: 60 minutes**
Independent Budget Analyst Ordinance Initiative and Strong Mayor Charter Amendment Initiative Options (To Be Delivered)

Location: (Citywide)

Public comment heard from Brandon Ruiz, Tamie Dramer, Tom Hiltachk, Kurt Oneto, Mike Heller, Brent Meyer, Josh Wood, Craig Powell, Jeff Tucker, Basim Elkarra, Pastor Darryl Heath, Omar Kitanoff, Joe Guerrero, Mark Harris, Sandeep Acharya, Aaron Vang, Rick Stevenson, Debbie Cooke, Stuart Eldridge, Brooks Truitt, Mike Barnbaum, Angelique Ashby, Curtis Cook, George Raya, Matt Hedges, Ali Mackane, Keith Sharward, Christopher Niehaus, Juanda Starks, Matt Kelly, Denise Lee, Guy Rinfrow, Kay Knepprath, Devin Lavelle, and Alex Barrios.

Action: Moved/Seconded: Member Steve Cohn/Member Ray Tretheway

Yes: Members Steve Cohn, Lauren Hammond, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.

No: Robert King Fong, Kevin McCarty, Bonnie Pannell, and Sandy Sheedy.

A motion **passed** to place the Strong Mayor Charter Amendment Initiative on the June 8, 2010 ballot and directed staff to return with 1) a revised Charter Review Committee schedule requiring the final Strong Mayor recommendations due by December 1, 2009; 2) detailed requirements for the June 8, 2010 election; 3) legal analysis to address the concerns regarding the 9th district issue.

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** to report back in 2 weeks for Council consideration to 1) adopt the Independent Budget Analyst Ordinance; or 2) place of the initiative on the June 8, 2010 ballot.

Contact: Matt Ruyak, Supervising City Attorney (916) 808-5346, Office of the City Attorney.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Robbie Waters-Is a ballot measure for containerized waste required
- b. Member Ray Tretheway-21st Century Infrastructure Summit

2. Board and Commission Appointments

- a. Animal Care Services Citizen Advisory Committee
 1. Becky Coreia (Category C)
- b. Sacramento Metropolitan Arts Commission
 1. Cheryl Holben (Category A)
 2. Allison Joe (Category A)
- c. Small Business Development & Employment Advisory Board
 1. Debra Ichimura (Category C)
- d. Housing Codes Advisory and Appeals Board
 1. Michael John Avery
- e. Sacramento Sports Commission
 1. Lizz Barringer-Lagomarsino (Category A)
- f. Ethel MacLeod Hart Advisory Committee
 1. Kathleen Lane (Category C)
- g. Sacramento Disabilities Advisory Commission
 1. Lester Finch
 2. Neal Eli Albritton
- h. Sacramento Youth Commission
 1. David Shenirer (B-2 At-Large)
 2. Ade Webster (B-2 At-Large)
 3. Rhamond Jackson (B-2 At-Large)

Adjourned at 10:01 p.m.