



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

DRAFT Minutes

Tuesday, March 23, 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, March 23, 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 6:00 p.m. Tuesday, March 23, 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 Danika Evans, student participant in Youth @ City Council Program.

Closed Session Report – None.

Special Presentations/General Communications

a. Franklin Boulevard Urban Plan Air

Action: Presented by Rhyena Halpern, Sacramento Metropolitan Arts Commission

b. Cesar Chavez Day

Action: Presented by Kevin McCarty to Becky Chavez-Castro and Shalom Brohaus.

Public Comments-Matters Not on the Agenda ([Actual Total Time-25 minutes])

1. Safeground and Homelessness
 - a. Jack Alexander
 - b. Tracie Rice-Bailey
 - c. Milton Harris
2. Public Transportation
 - a. Eric Wymem
3. Relocating Business Fees
 - a. Jeff Welch
4. Lower American River Parkway
 - a. Teilre Iona
 - b. Tiffany Scoggins
 - c. Mary Toppel
5. Human Trafficking
 - a. Becky Watson
6. Senior Issues
 - a. Bill Grant
7. Oak Park Issues
 - a. Ron Emslie
8. Cesar Chavez Day
 - a. Efren Guttierrez

Consent Calendar (Items 1 - 18) Estimated Time: 5 minutes

[Actual Total Time- 3 minutes]

Action: Moved/Seconded: Member Robbie Waters/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 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 March 9, 2010.

Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for March 9, 2010.

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

2. Confirmation of Board and Commission Appointments

Location: (Citywide)

Action: Confirmed board/commission appointment(s): 1) Development Oversight Commission – Michael Mencarini (Category B); 2) Housing Code Advisory and Appeals Board – Melissa Gaudreau and Michael Avery; 3) Small Business Development and Employment Advisory Board – Trina McKie and Victoria Castaneda (Category B).

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-809, Katia Ligaiviu, Deputy City Clerk, (916) 808-7200, Office of the City Clerk, Office of the City Clerk.

3. Update: Funds Received through American Recovery and Reinvestment Act of 2009 (ARRA)

Location: (Citywide)

Action: Received and filed.

Contact: Michelle Heppner, Special Projects Manager, (916) 808-1226, Office of the City Manager.

4. (Pass for Publication) Curtis Park Village (P04-109)

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: 1) Reviewed a) a Resolution certifying the Environmental Impact Report; b) a Resolution amending the General Plan Land Use and Urban Form Diagram from Traditional Neighborhood Low to Traditional Neighborhood Medium; c) an Ordinance 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); d) a Resolution approving the Curtis Park Village Inclusionary Housing Plan; e) a Resolution approving the Curtis Park Village Planned Unit Development Guidelines and Schematic Plan; f) a Resolution approving

the Curtis Park Village project entitlements including a Large Lot Tentative Subdivision Map, Tentative Subdivision Map, and Subdivision Modifications; and g)a Resolution adopting Policy Direction For Curtis Park Village Neighborhood Park and Detention Basin and the Amendment to the 1995 Remedial Action Plan; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted April 1, 2010.

Contact: Heather Forest, Associate Planner, (916) 808-5508, Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department.

5. Digital Billboards on City-Owned Sites

Location: (Citywide)

Action: Received and filed.

Contact: Tom Zeidner, Senior Economic Development Project Manager, 808-1931, Economic Development Department.

6. Services Community Facilities Districts – Amendments to the FY2009/10 Budget

Location: (Citywide)

Action: Amended the revenue and expenditure budgets for the FY2009/10 Approved Budget for the Services Community Facilities Districts by adopting: 1) **Resolution No. 2010-143** for the Willowcreek Landscaping Maintenance Community Facilities District (CFD) No. 98-04; 2) **Resolution No. 2010-144** for the North Natomas Transportation Management Association (TMA) CFD No. 99-01; 3) **Resolution No. 2010-145** for the North Natomas Neighborhood Landscaping Maintenance CFD No. 99-02; 4) **Resolution No. 2010-146** for the North Natomas Landscaping Maintenance CFD No. 3; 5) **Resolution No. 2010-147** for the Neighborhood Park Maintenance CFD No. 2002-02; 6) **Resolution No. 2010-148** for the Neighborhood Alley Maintenance CFD No. 2003-04; and 7) **Resolution No. 2010-149** for the Del Paso Nuevo Landscaping CFD No. 2006-06.

Contact: Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

7. Mello-Roos Tax Revenue: Natomas Central Community Facilities District (CFD) 2006-02

Location: North Natomas (District 1)

Action: Adopt **Resolution No. 2010-150** appropriating \$1,311,428 from collected Mello-Roos taxes for CFD 2006-02 to allow for the reimbursement of eligible developer costs.

Contact: Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

8. Annexation No. 18 to the Neighborhood Park Maintenance Community Facilities District (CFD) No. 2002-02 – Mail Ballot Election Results

Location: No. 18 will include 17 separate areas (Districts 1, 2, 3, 4, 5 & 6)

Action: Adopt **Resolution No. 2010-151** determining the results of the Special Mail Ballot Election and based on those results abandoning the proceedings and directing related actions.

Contact: Jodie Vong, Administrative Analyst, (916) 808-824, Mark Griffin, Fiscal Manager, (916) 808-8788, Finance Department.

9. City Signatory Authority for City Properties

Location: The district includes approximately 290 parcels and 171 property owners in the North Sacramento Redevelopment Area (District 2)

Action: Moved/Seconded: Member Robbie Waters/Member Steve Cohn

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

Abstain: Member Sandy Sheedy

A motion **passed** to adopt **Resolution No. 2010-152** designating the City Manager as the signatory authority for all City-owned properties to be included in the proposed Del Paso Boulevard Property and Business Improvement District No. 2010-01.

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

10. Fiscal Year 2008/09 Single Audit Report

Location: (Citywide)

Action: Adopted **Resolution No. 2010-153** accepting the Fiscal Year (FY) 2008/09 Single Audit Report

Contact: Leyne Milstein, Director of Finance, (916) 808-8491, Dennis Kauffman, Accounting Manager, (916) 808-5843, Finance Department.

11. (Pass for Publication) Ordinance Amendment: Changes to Contracts for Supplies, Services and Public Projects

Location: (Citywide)

Action: 1) Reviewed an Ordinance making a one-word correction to sections 3.56.310, 3.60.240, and 3.64.060 of the Sacramento City Code related to the approval of contract changes; and 2) passed for publication the Ordinance title as required by Sacramento City Charter Section 32(c) to be adopted April 1, 2010

Contact: Reina J. Schwartz, Director, Department of General Services, (916) 808-7195, General Services Department.

12. Grant/Supplemental Agreement: Kaiser/Wyndham Neighborhood Policing Agreement

Location: (Citywide)

Action: Adopted **Resolution No. 2010-154** 1) authorizing the City Manager, or designee, to approve Supplemental No. 11 to City Agreement No. 97-002 with Kaiser Foundation Hospital to provide neighborhood policing services in the amount of \$240,854; 2) authorizing the City Manager, or designee, to establish an Externally Funded Program (EFP) for the eleventh amendment and; 3) authorizing the City Manager, or designee, to adjust the necessary revenue and expenditure budgets to implement the program.

Contact: James Maccoun, Captain, (916) 808-0841, Police Department.

13. **(Redevelopment Agency) Development Agreement: 7th and H Streets Second Exclusive Right To Negotiate**
Location: Corner of 7th and H Streets (District 1)
Action: Adopted **Redevelopment Agency Resolution No. 2010-015** authorizing the Executive Director or her designee to 1) enter into a Second Exclusive Right to Negotiate (ERN) Agreement with Mercy Housing California (MHC) for the negotiation of a Disposition and Development Agreement (DDA) for development of an affordable high density housing project on property located at the corner of 7th and H Streets, and 2) express the Agency's intent to donate the land at 7th and H Streets to the 7th and H project as an agreed upon business term for such negotiation.
Contact: Christine Weichert, Assistant Director, Housing and Community Development Department (916) 440-1353, Sacramento Housing and Redevelopment Agency.
14. **Lease Agreement: 1013 L Street**
Location: 1013 L Street and Capitol Garage/ District 1
Action: Adopted **Resolution No. 2010-155** 1) finding that, pursuant to City Code Section 3.68.110, the leasing of 1013 L Street and a storage room in Capitol Garage without bidding is in the best interests of the City; and 2) authorizing the City Manager to execute a 5-year lease agreement with two 5-year options to extend with Abe Saadeh for retail and storage space located in Capitol Garage.
Contact: Paul Sheridan, Program Analyst, (916) 808-6817, Transportation Department.
15. **Norwood Avenue Bridge Replacement Project (T15068400)**
Location: Norwood Avenue Bridge at Arcade Creek between Fairbanks Avenue and Lindley Avenue (District 2)
Action: **Continued to April 1, 2010** to adopt a Resolution 1) approving the conceptual design plans; and 2) approving the Mitigated Negative Declaration and the Mitigation Reporting Plan for the project.
Contact: Ricky Chuck, Senior Engineer, (916) 808-5050, Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.
16. **Council Rules of Procedure** (Continued from 3-16-10)
Location: (Citywide)
Action: **Continued to a future date** a Resolution 1) approving the Council Rules of Procedure adding language for managing and scheduling Mayor/Council requests made under "Council Ideas, Comments and Questions" and 2) repealing Resolution 2010-053.
Contact: Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk, Patti Bisharat, Director of Governmental Affairs, (916) 808-8197, Office of the City Manager.

17. Creation of the Sacramento Convergence Project Ad Hoc Committee

Location: (Citywide)

Action: Adopted **Resolution No. 2010-158** 1) appointing a special committee (**Council Members Steve Cohn, Robert King Fong, Ray Tretheway, and Mayor Johnson**) to provide guidance to City staff in negotiating agreements related to the proposed Entertainment and Sports Complex (ESC) at the City's Intermodal site, relocation of Cal Expo to Natomas and redevelopment of the current Cal Expo site (the "Sacramento Convergence Project"), and 2) delegated authority to the City Manager to draft and propose necessary legislation, after consultation with the ad hoc committee.

Contact: John Dangberg, Assistant City Manager, (916) 808-5704, Office of the City Manager, Jim Rinehart, Director of Economic Development, (916) 808-5054, Economic Development Department.

18. Salary for Interim City Manager

Location: (Citywide)

Action: Adopted **Resolution No. 2010-159** establishing the salary of the Interim City Manager.

Contact: Geri Hamby, Director of Human Resources, (916) 808-7173, Human Resources Department.

Public Hearings (Items 19 - 22)

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

19. Estimated Time: 30 minutes

Marina Fee Revision (Noticed on 3-5-10 and 3-12-10)

Location: 2710 Ramp Way (District 4)

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 to continue the public hearing to April 22, 2010** to adopt Resolution 1) reducing the previously approved fee increase for the rental of berth slips at the Sacramento Marina for Fiscal Year (FY) 2010/11 and FY 2011/12.

Contact: Clair Camper, Marina Manager, (916) 808-5712, Barbara Bonebrake, Director, Convention, Culture & Leisure, (916) 808-8225, Convention, Culture and Leisure Department.

20. **Estimated Time: 20 minutes** (Actual Time 7 minutes)
Appeal: Natomas Corporate Center PUD Guidelines Amendment (P09-013)
(Noticed on 3-12-10)
Location: 2020 West El Camino Avenue (District 1)
Action: Moved/Seconded: Member Ray Tretheway/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.
Action: Conduct a public hearing; and upon conclusion; granted the applicant's appeal of the Planning Commission decision and adopted 1) **Resolution No. 2010-161** approving the environmental exemption per the California Environmental Quality Act (CEQA) Section 15061(b)(3); and 2) **Resolution No. 2010-162** approving the PUD Guidelines Amendment to amend signage guidelines within the Natomas Corporate Center Planned Unit Development without provisions for a freeway monument sign.
Contact: David Hung, Associate Planner, (916) 808-5530, Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department.
21. **Estimated Time: 20 minutes** (Actual Time 30 minutes)
Call-up: Claire Avenue Warehouses (P07-017) (Noticed on 3-12-10)
Location: 1248 Claire Avenue (District 2)
Action: Moved/Seconded: Member Sandy Sheedy/Member Robert King Fong
Yes: Members Steve Cohn, Robert King Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.
Abstain: Member Lauren Hammond
Conducted a public hearing with with public comment heard from applicant Alex Kovalev, Pamela Sanchez, and Dan Lam and upon conclusion a motion passed to uphold the Planning Director's determination and adopt **Resolution No. 2010-163** denying the project for the applicant's failure to process the application in a timely manner.
Contact: Kimberly Kaufmann-Brisby, Associate Planner, (916) 808-5590, Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department.
22. **Estimated Time: 1 minute**
Citywide Fees and Charge Report (Noticed on 3-12-10)
Location: (Citywide)
Action: Moved/Seconded: Member Sandy Sheedy/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 continue to 5-18-10.
Contact: Leyne Milstein, Finance Director, (916) 808-8491, Finance Department.

Discussion Calendar/Staff Reports (Items 23 - 24)

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

23. **Estimated Time: 10 minutes** (Actual Time 3 minutes)

Google Request for Information (RFI)

Location: (Citywide)

Action: Received and filed with public comment heard from Ron Emslie.

Contact: Melissa Anguiano, Sr. Project Manager, (916) 808-5864, Jim Rinehart, Economic Development Director, (916) 808-5054. Economic Development Department and Karl Rosander, Information Technology Manager, (916) 808-8262, Information Technology Department.

24. **Estimated Time: 45 minutes** (Actual Time 7 minutes)

Responses to the Findings and Actions of the Sacramento Grand Jury Report 2009-10

Location: (Citywide)

Action: Moved/Seconded: Member Steve Cohn/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 heard from Ron Emslie and motion **passed** approving the proposed responses to findings and Actions contained in the 2009-10 Grand Jury Report **as amended** regarding use of the City’s utility enterprise funds and Proposition 218, and directed the City Manager to submit the responses as required on behalf of the Mayor and City Council **modifying the response to finding 6.0 deleting other language except: “The City disagrees with this finding. City staff has been working to resolve the issues identified in the Grand Jury report as noted in the response to Recommendation 1.2, above, and will continue to do so. The City Council has directed staff to provide regular updates to ensure greater transparency in the future.”**

Contact: Jamille Moens, Business Services Manager, (916) 808-5988, Utilities Department.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

a. Lauren Hammond

1. Census Committee present at upcoming City Council meeting

2. Board/Commission Appointments

a. Sacramento Convergence Project Ad Hoc Committee

1. Member Steve Cohn
2. Robert King Fong
3. Ray Tretheway
4. Mayor Johnson

Adjournment - 8:05 p.m.