



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

DRAFT Minutes

Tuesday, August 11, 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, August 11, 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 6:01 p.m. Tuesday, August 11, 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 Bonnie Pannell.

Closed Session Report – None.

Special Presentations/General Communications

a. **Recognizing Hank Fischer Properties 30th Anniversary**

Action: Presented by Member Robbie Waters to Nancy Fischer, Co-founder and President.

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

1. Rosanna Herber-Curtis Park Village
2. John Fierro-Del Paso Streetscape
3. James Little-Camping Ordinance/Police Action
4. Joan Barden-Curtis Park Village and Railyard Infill
5. Tom Sumpter-Curtis Park Village and Railyard Project
6. Mike Barnbaum-High School Heros Night
7. Tracie Bailey-Safe Ground
8. Lillian Hanson-Safe Ground
9. Bill Grant-Citizen Auditor Comments
10. John Jensen-Curtis Park Village

Consent Calendar (Items 1 - 16) 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 July 28, 2009

Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for July 28, 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: (Citywide)

Action: Opened an application period for the Sacramento Disabilities Advisory Commission to open 08/12/09 with applications due 08/28/09.

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

3. Open an Application Period for Various Boards and Commissions

Location: (Citywide)

Action: Opened an application period for the Community Racial Profiling Commission to open 08/12/09 with applications due 09/11/09.

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

4. Investment Report for the Quarter Ended June 30, 2009 and the Monthly Transactions for the Month Ended June 30, 2009

Location: (Citywide)

Action: Accepted the Quarterly Investment Report for quarter ended June 30, 2009 and the Monthly Investment Transactions for the month ended June 30, 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.

5. **1993 Lease Revenue Refunding Bonds - Amend Facilities Lease**

Location: (Citywide)

Action: Adopted 1) **City Resolution 2009-517** authorizing the execution and delivery of amendments to Facilities Leases with the Sacramento City Financing Authority relating to the Series 1993 A and Series 1993 B bonds and approving certain other actions in connection therewith, and 2) Sacramento City **Financing Authority Resolution 2009-001** authorizing the execution and delivery of amendments to Facilities Leases with the City of Sacramento relating to the Series 1993 A and Series 1993 B bonds and approving certain other actions in connection therewith.

Contact: Russell T. Fehr, City Treasurer, (916) 808-5832, Janelle Gray; Treasury Manager, (916) 808-8296, Office of the City Treasurer.

6. **(Pass for Publication) Nomination of 4623 T St. (M09-011), 6125 Riverside Blvd. (M09-012), and 1210 H Street (M09-013) as Landmarks for listing in the Sacramento Register of Historic and Cultural Resources**

Location: 4623 T Street, Assessor's Parcel Number 011-0043-002-0000, Council District 6; 6125 Riverside Boulevard, Assessor's Parcel Number 029-0010-008-0000, Council District 4; 1210 H Street, Assessor's Parcel Number 006-0051-003-0000, Council District 3

Action: 1) Reviewed an Ordinance placing the properties located at 4623 T St., 6125 Riverside Blvd., and 1210 H Street in the Sacramento Register of Historic and Cultural Resources (Register) as Landmarks; and 2) passed for publication the Ordinance title as required by Sacramento City Charter 32c to be adopted August 18, 2009.

Contact: Roberta Deering, Senior Planner for Historic Preservation, (916) 808-8259; William Crouch, Urban Design Manager, (916) 808-8013, Community Development Department.

7. **City of Sacramento Addressing Standards**

Location: Citywide

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

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

Removed from Consent Calendar by Member Steve Cohn for discussion and a motion **passed** to adopt **Resolution No. 2009- 518** adopting standards for addressing for the purpose of establishing and maintaining a comprehensive and consistent addressing system with **direction to staff to consider using historical Sacramento evens as Alley naming guidelines.**

Contact: Emilie Schell, Program Analyst, (916) 808-5908; Bob Cooper, Supervising Engineer, (916) 808-1873, Community Development Department.

8. **Parks and Recreation Safety Implementation Plan: Position Reclassification Requests for the Park Safety Ranger Program (19001526)**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-519** 1) approving proposed reclassification of 1.0 FTE Program Supervisor to Park Safety Ranger Supervisor in the Department of Parks and Recreation; 2) approving the proposed reclassification of .50 FTE Program Leader to Park Safety Ranger in the Department of Parks and Recreation and 3) approving reclassification requests subject to the approval of the Department of Human Resources.
Contact: Jonathan Rewers, Analyst, (916) 808-7590, Parks and Recreation Department.
9. **Capital Improvement Program (CIP): Glenn Hall Park Crime Prevention Through Environmental Design (CPTED) Improvements Project (L19210000)**
Location: 5415 Sandburg Drive, River Park (District 3)
Action: Adopted **Resolution No. 2009-520** 1) establishing a new CIP for the Glenn Hall Park CPTED Improvements project (L19210000); and 2) appropriating \$388,000 from the Park Development Impact Fees (PIF), Fund 3204, for L19210000.
Contact: Roy Tatman, Associate Landscape Architect, (916) 808-5326; J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.
10. **Grant: Gang Violence Suppression (GVS) Multi-Component Program FY 2010**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-521** authorizing the City Manager or his designee, on behalf of the City of Sacramento, to apply for state grant funding through the State of California Emergency Management Agency (Cal EMA) Request for Application for the Gang Violence Suppression (GVS) Multi-Component Program.
Contact: Jim Maccoun, Captain, (916) 808-0841, Police Department.
11. **(Council/Housing Authority/Redevelopment Agency) Records Retention Schedule and Destruction of Certain Records**
Location: (Citywide)
Action: Adopted 1) **City Resolution No. 2009-522**, 2) **Housing Authority Resolution No. 2009-014** and 3) **Redevelopment Agency Resolution No. 2009-049** authorizing a) the adoption of a Records Retention Schedule for the Sacramento Housing and Redevelopment Agency, b) the destruction of certain records as outlined in the Records Retention, and c) delegation of authority to the Sacramento Housing and Redevelopment Commission to update the records retention and destruction schedule.
Contact: Tia Boatman Patterson, Agency Counsel, (916) 440-1330. Vickie Smith, Agency Clerk, (916) 440-1363, Sacramento Housing and Redevelopment Agency.

- 12. Amended Loan Agreement: La Valentina Project**
Location: 12th Street between C Street Alley and E Street, Alkali Flat Redevelopment Area (District 3)
- Action:** Adopted **Resolution No. 2009- 523** 1) authorizing the City Manager to commit \$585,781 in federal Energy Efficiency and Conservation Block Grant (EECBG) funds to the La Valentina Project (Project) in the form of a grant, subject to the project being awarded 9% Low Income Housing Tax Credits; 2) authorizing the Sacramento Housing and Redevelopment Agency (Agency) to enter into an amended loan commitment letter and amended loan agreements to increase the Agency loan from \$3,000,000 to \$7,035,000 with 12t" Street Partners, L.P. (Developer); 3) authorizing amendment of the Agency budget to allocate an additional \$2,035,000 in City Housing Trust Funds (City HTF) as a loan to the Developer for construction and permanent financing of the Project; 4) accepting \$2,000,000 in State Housing Trust Funds (State HTF) from the State Housing and Community Development Department; and 5) authorizing amendment of the Agency budget to allocate \$2,000,000 in State HTF as a loan to the Developer for construction and permanent financing of the Project.
- Contact:** Lisa Bates, Deputy Executive Director, (916) 440-1316; Christine Weichert, Assistant Director, Housing and Community Development, (916) 440-1353, Sacramento Housing and Redevelopment Agency.
- 13. Café Connection Consent to Assignment Agreement**
Location: 1007 L Street (District 1)
- Action:** Adopted **Resolution No. 2009- 524** authorizing the City Manager to execute a Consent to Assignment agreement approving the assignment of City Agreement 2006-1399 from Wen-Hsing Sun and Sophia Sun, dba Café Connection, to Shewkali Rajkumar (aka, Debbie Rajkumar) and Chaitra Prashad.
- Contact:** Paul Sheridan, Program Analyst, (916) 808-6817, Transportation Department.
- 14. Streetscape Maintenance Contract Extensions**
Location: (Citywide)
- Action:** Adopted **Resolution No. 2009-525 as amended** approving the renewal options to extend eleven previously awarded streetscape maintenance contracts with a) Dominguez Landscape, three contracts, the total not to exceed \$400,500; b) Oliver Landscape, one contract, the total not to exceed \$113,400; c) Roush Landscape, six contracts, the total not to exceed \$910,023; and d) Valley Landscape, one contract, the total not to exceed \$104,700; and direction by Member Lauren Hammond for a report back on the addresses of the contractors and their Emerging and Small Business Development (ESBD) status.
- Contact:** Erick Talavera, Program Specialist, (916) 808-2272; Juan Montanez, Street Services Manager, (916) 808-2254, Transportation Department.

15. Agreement: FY2009-10 New Measure A Ongoing Annual Programs

Location: (Citywide)

Action: Adopted **Resolution No. 2009-526** authorizing the City Manager to execute the Memorandum of Understanding with the Sacramento Transportation Authority (STA) for FY2009-10 New Measure A Ongoing Annual Programs.

Contact: Nicole Henderson, Supervising Financial Analyst, (916) 808-8242; Lucinda Willcox, Program Manager, (916) 808-5052, Transportation Department.

16. Amendment: Resolution 2006-750 for Contract for Purchase and Distribution of Refuse Containers

Location: (Citywide)

Action: Adopted **Resolution No. 2009-527** amending Resolution No. 2006-750 to remove the annual expenditure limit that was specified when the contract for the purchase and distribution of refuse containers was awarded to Toter Incorporated, without changing the contract's total not to exceed amount.

Contact: Marty Strauss, Integrated Waste Planning Superintendent, (916) 808-4934; Edison Hicks, Integrated Waste General Manager, (916) 808-4949, Utilities Department.

Public Hearings (Items 17 - 19)

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

17. Estimated Time: 05 minutes

(Council/Revelopment Agency) Ramona Avenue Technology Village Specific Plan and 65th Street Area Finance Plan (Noticed on 7-10-09)

Location: 65th Street Redevelopment Project Area (Districts 3 and 6)

Action: Moved/Seconded: Member Kevin McCarty/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.

Conducted a public hearing with public comment heard from Jerry Vorpahl; upon conclusion, a motion **passed** to adopt **City Resolution No. 2009-528** a) appropriating \$150,000 of Community Development Block Grant (CDBG) Funds for the Ramona Avenue Technology Village Specific Plan (D21001300); b) appropriating \$55,000 of 65th Street Tax Increment funds for the 65th Street Area Finance Plan(D21001300); c) authorizing the Sacramento Housing and Redevelopment Agency (SHRA) to execute an Individual Project Agreement (IPA) with the City of Sacramento in the amount of \$150,000 for the Ramona Avenue Technology Village Specific Plan; d) authorizing the City Manager to execute IPAs for the Projects; and e) making related findings; and 2) **Redevelopment Agency Resolution No. 2009-050** a) amending the 2009 Sacramento Housing and Redevelopment Agency budget by transferring \$55,000 of 65th Street Tax Increment Funds for the 65th Street Area Finance Plan; b) authorizing the Executive Director, or her designee, to execute an IPA with the City of Sacramento in the amount of \$55,000 for the 65th Street Area Finance Plan; and c) making related findings.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1316; Chris Pahule, Assistant Director, Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency; and Tom Pace, City of Sacramento, Long Range Planning Manager, (916) 808-6848, Community Development Department.

18. **Estimated Time: 15 minutes**
(Council/Financing Authority/Redevelopment Agency) Approval: Hotel Berry Disposition and Development Agreement and Financing Plan (Noticed on 7-28-09)
Location: 729 L Street; Merged Downtown Sacramento Redevelopment Project Area (District 1)

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, and Mayor Kevin Johnson.

Absent: Member Robbie Waters

Conduct a public hearing pursuant to Health and Safety Codes § 33433 and 33431 and Section 147(f) of the Internal Revenue Code of 1986, as amended (Code) with public comment heard from Kevin Greene, William Burg and Shamus Roller; upon conclusion, a motion **passed** to adopt: 1) **City Resolution No. 2009-529** a) indicating that, pursuant to Section 147(f) of the Code, the City Council has, following notice duly given, held a public hearing regarding the deemed reissuance for federal tax purposes of a portion of the Sacramento City Financing Authority (Authority) 2005 Tax Allocation Revenue Bonds, Series A (Merged Downtown and Oak Park Projects) in an amount not to exceed \$10,000,000 allocable to the Hotel Berry project (Allocable Bonds), and has approved the deemed reissuance for federal tax purposes of the Allocable Bonds by the Authority; and b) indicating that the City Council has conducted a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing for the proposed financing of the Hotel Berry 2009 Project; and 2) **City Resolution No. 2009-530** a) approving the 33433 Report; and b) approving the disposition of the property; and 3)

Redevelopment Agency Resolution No. 2009-051 a) approving the Hotel Berry Financing Plan (Financing Plan); b) approving the disposition of the property and development project interests and authorizing the Executive Director, or her designee, to execute the Disposition and Development Agreement (DDA) and related documents between the Redevelopment Agency (Agency) and 729 L Street Limited Partnership (Developer); c) approving the funding commitment letter and funding agreements consistent with the Financing Plan; d) authorizing an Agency Budget amendment to allocate \$1,574,000 of Downtown Tax Increment Housing Set-Aside funds to the Hotel Berry 2009 Project; e) approving the deemed reissuance for federal tax purposes of the Allocable Bonds as "Qualified 501(c)(3) Bonds" under the Code.; f) authorizing the Executive Director, or her designee, to execute a funding commitment and funding agreements and related documents pursuant to the proposed Financing Plan; and 4) **Financing Authority Resolution No. 2009-002** a) authorizing the deemed reissuance for federal tax purposes of the Allocable Bonds in an aggregate principal amount not to exceed \$10,000,000; and b) authorizing the officers of the Authority to take certain actions in connection therewith.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1316; Christine Weichert, Assistant Director, 916-440-1353, Sacramento Housing and Redevelopment Agency.

19. **Estimated Time: 45 minutes**
Natomas Crossing (P04-264) (Passed for Publication 7-28-09; Published on 7-31-09)
(Noticed on 7-31-09)
Location: Project site bounded by I-5 (West), East Commerce (East), San Juan Road (South), and adjacent to Main Entrance Road (North); Council District 1; Assessor's Parcel Numbers 225-0070-115; 225-0140-065, -067; 225-0150-043, -053, -054; 225-0180-059; 225-0310-026
Action: Moved/Seconded: Member Ray Tretheway/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.
Conducted a public hearing with public comment heard from Chris Holm, Janice Brannon, Keith Sharward and Scott Dosick; upon conclusion, a motion **passed** to adopt 1) **Resolution No. 2009-531** certifying the Environmental Impact Report (EIR) and adopting the Mitigation Monitoring Plan (MMP); 2) **Resolution No. 2009-532** approving a tentative subdivision map for the Natomas Crossing project; 3) **Resolution No. 2009-533** amending the General Plan Land Use Diagram for the project site from Planned Development to Regional Commercial and Employment Center Midrise.; 4) **Resolution No. 2009-534** amending the PUD Guidelines and Schematic Plan for the project site; and 5) **Ordinance no. 2009-037** rezoning the subject site from the Limited Commercial (C-1 PUD) and Employment Center (EC-40 and EC-50 PUD) to the Shopping Center (SC PUD) and Employment Center (EC-50 PUD) zones.
Contact: Evan Compton, Associate Planner, (916) 808-5260; Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department.

Discussion Calendar/Staff Reports (Items 20 and 21)

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

20. **Estimated Time: 20 minutes**
Alley Activation Update (M09-026)
Location: Alleys within the Central Business District and Midtown Area (Districts 1, 3, and 4)
Action: 1) Reviewed the various efforts underway to activate Central City alleys with public comment heard from Deanna Marquart, Mike Barnbaum, Mary Lunn, Brooks Truitt, William Burg, Vivian Gerlach and Graham Brownsein; and 2) directed staff to continue working with the Alley Activation Committee on the Pilot Alley proposals, and to help identify potential funding sources.
Contact: William R. Crouch, Urban Design Manager, (916) 808-8013; Stacia Cosgrove, Senior Planner, (916) 808-7110, Community Development Department.
21. **Estimated Time: 30 minutes**
Status Report: Exclusive Right to Negotiate Agreements with USA Hospitality, Inc. for 800 K/L Site
Location: 800-816 K Street and 809-815 L Street (District 1)
Action: **Continued to August 25, 2009** as requested by Applicant.

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

Council Comments-Ideas, Questions and Meeting/Conference Reports

a. Report Back

1. Member Sandy Sheedy-Refer to Law and Legislation Committee an Ordinance regarding the humane treatment of circus animals while in the City of Sacramento.
2. Member Robert King Fong-Refer to Law and Legislation Committee an Ordinance allowing egg laying chickens in back yards.
3. Member Kevin McCarty-Discussion of possible Youth Ballot Measures (Lynn Corbett-Youth Development)

b. Board/Commission Appointments-None.

Adjourned at 8:50 p.m.