



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

DRAFT Minutes

Tuesday, October 27, 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 s; 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, October 27, 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. Tuesday, October 27, 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 Kevin McCarty.

Closed Session Report– None.

Special Presentations/General Communications

a. **Solid Waste Services Recycling Pledge Winner**

Action: Presented by Edison Hicks and Doug Huston to Joan Sloat Elementary School

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

1. Safeground/Homelessness
 - a. John Kraitz
 - b. Carol Carlile
 - c. Tracie Rice Bailey
2. Oscar Jr. Foundation-Council Support
 - a. Oscar Frayer

Consent Calendar (Items 1 -17) **Estimated Time: 5 minutes**

Action: Moved/Seconded: Member Robbie Waters/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.

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 October 13, 2009**
Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for October 13, 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 1) Civil Service Board to open 10/28/09 with applications due 12/04/09; 2) Sacramento Heritage, Inc. Board of Directors to open 10/28/09 with applications due 12/04/09; 3) Development Oversight Commission to open 10/28/09 with applications due 12/04/09; 4) Del Paso Heights Redevelopment Advisory Committee to open 12/28/09 with applications due 12/04/09; and 5) Sacramento Disabilities Advisory Commission to open 12/28/09 with applications due 12/04/09.

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

3. (Redevelopment Agency) Contract: Remediation of Rio Linda Boulevard Super Block Parcels

Location: Del Paso Heights Redevelopment Area (District 2)

Action: Adopt **Redevelopment Agency Resolution No. 2009-056** allocating \$750,000 of Del Paso Heights Tax Increment Development Assistance and authorization to circulate a Request for Proposal and award a contract to remediate the Rio Linda Boulevard Super Block and develop the site with housing.

Contact: Lisa Bates, Deputy Director, Community Development, (916) 440-1316, Chris Pahule, Assistant Director, Housing and Community Development, (916) 440-1350, Sacramento Housing and Redevelopment Agency.

4. California Highway Patrol (CHP) Heliport Plan

Location: River District (District 1)

Action: Adopted **Resolution No. 2009-669** approving plan for the establishment of a Heliport at CHP Headquarters at 601-C North 7th Street.

Contact: Rachel Hazlewood, Senior Project Manager, (916) 808-8645, Economic Development Department, Stacia Cosgrove, Senior Planner, (916) 808-7110, Community Development Department.

5. Brownfield Community-Wide Assessment Grant Acceptance

Location: (Districts 4, 5, 6, 7 and 8)

Action: Adopted **Resolution No. 2009-670** 1) authorizing the City Manager to accept \$400,000 in Brownfield Assessment grant funding (Fund 2702) from the U.S. Environmental Protection Agency; 2) establishing a Brownfield Assessment grant (G18000200) with a \$400,000 revenue and expenditure budget for the assessment of potentially contaminated sites in South Sacramento; 3) authorizing the City Manager to set up a Brownfields Assessment Program to accept applications to assess sites and allocate appropriate grant funds; and 4) authorizing staff to issue a Request for Qualifications (RFQ) to establish a list of qualified environmental consultants to perform the assessments.

Contact: Diana Sasser, Project Manager, (916) 808-5519, Economic Development Department.

- 6. Agreement: Enterprise Performance Management (EPM)**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-671** authorizing the City Manager or his designee to execute an agreement with RCW Services Inc. to assist in the implementation and development of the City's EPM system, for a total not-to-exceed amount of \$123,600 and a term limit through November 2, 2010.
Contact: Dawn Holm, Principal Management Analyst, (916) 808-5574, Leyne Milstein, Finance Director, (916) 808-8491, Finance Department.
- 7. Interagency Agreement: Fiber Optic Network Lease Agreement**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-672** approving and authorizing the City Manager or his designee to execute an Interagency Agreement with the Sacramento Public Library Authority for the lease of fiber on the City's fiber optic network for an annual maintenance and lease rate of \$0.05 per lineal foot, or approximately \$7,138.20 per year.
Contact: Karl Rosander, Information Technology Manager, (916) 808-8262, Xavier Covarrubias, Information Technology Supervisor, (916) 808-8512, Information Technology Department.
- 8. Agreement: Cesar Chavez Plaza**
Location: Cesar Chavez Plaza (District 1)
Action: Adopted **Resolution No. 2009-673** authorizing the City Manager to execute an agreement with the Downtown Sacramento Partnership for programming and other services for Cesar Chavez Plaza for a total amount not to exceed \$171,000 over the next five years.
Contact: Lori Harder, Support Services Manager, (916) 808-5172, Parks and Recreation Department.
- 9. Agreement: Robert T. Matsui Waterfront Park**
Location: Between Jibboom Street and the Sacramento River (District 1)
Action: Adopted **Resolution No. 2009-674** 1) authorizing the City Manager or City Manager's designee to execute an agreement, and any amendments thereto, with the Sacramento Museum of History, Science and Technology for park planning and development services related to the Park; 2) establishing a new Capital Improvement Program (CIP) project (L19911002) for associated City staff costs related to the preparation of an amendment to the Park Master Plan; 3) accepting payment of up to \$12,795 from Sacramento Museum of History, Science and Technology pursuant to the agreement to be deposited into Fund 3702; and 4) appropriating up to \$12,795 from Fund 3702 to CIP L19911002.
Contact: Mary de Beauvieres, Principal Planner, (916) 808-8722, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.

10. **Agreement: Sacramento Students Today Achieving Results for Tomorrow (START) Evaluation**
Location: (Citywide)
Action: Adopted **Resolution No. 2009-675** authorizing the City Manager to execute a Professional Services Agreement and any amendments with Duerr Evaluation Resources, Inc. (Duerr) for an evaluation of the Sacramento START 2009/10 school year program in the amount of \$87,000 with the option to renew for two additional school years in a total amount not to exceed \$261,000.
Contact: David Mitchell, Operations Manager, (916) 808-6076, Alan Tomiyama, Recreation Manager, (916) 808-8958, Parks and Recreation Department.
11. **Agreement: New Measure A Capital Program and Appropriation of Funds**
Location: Downtown Railyards (District 1)
Action: Adopted **Resolution No. 2009-676** authorizing the City Manager to execute the Agreement with the Sacramento Transportation Authority (STA) for New Measure A Capital Project and Expenditure Program and appropriate funds.
Contact: Lucinda Willcox, Program Manager, (916) 808-5052, Hinda Chandler, Senior Architect, (916) 808-8422, Transportation Department.
12. **Ordinance Amendment: Valet Parking** (Passed for Publication on 10-20-09, Published on 10-23-09)
Location: (Citywide)
Action: Adopted 1) **Ordinance No. 2009-046** adding Chapter 10.46 to the Sacramento City Code relating to valet parking; 2) **Resolution No. 2009-677** establishing permit fees for valet parking.
Contact: Dean Fujimoto, Operations General Supervisor, 808-5579, Transportation Department.
13. **Supplemental Agreement: R Street Improvements Project (T15056200)**
Location: R Street -10th Street to 13th Street (District 4)
Action: Adopted **Resolution No. 2009-678** authorizing the City Manager to execute Supplemental Agreement No. 2 to City Agreement 2006-0792 for an amount not to exceed \$35,213 with Mark Thomas & Company to allow the City to move forward with the final design; and 2) resetting the City Manager's approval authority.
Contact: Zuhair Amawi, Associate Civil Engineer, (916) 808-7620 Tim Mar, Supervising Engineer, (916) 808-7531, Transportation Department.

14. **On-Street Back-in Angled Parking Program (S15101500)**
Location: Alkali and Mansion Flats Neighborhoods (Districts 1 and 3)
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.
- Removed from Consent Calendar for public comment heard from Falcon Lee; and a motion **passed** to adopt **Resolution No. 2009-679** 1) approving implementation of back-in angled parking within the Alkali and Mansion Flats Neighborhoods (S15101500); and (2) approving the transfer of \$91,952 from the On-Street Angled Parking Program (S15071500) to the On-Street Angled Parking Program (S15101500).
- Contact:** Zarah Bringas, Assistant Civil Engineer, (916) 808-8494, Samar Hajeer, Senior Engineer, (916) 808-7808, Transportation Department.
15. **Supplemental Agreement: Sewer System Management Plan (X14004100)**
Location: (Citywide)
- Action:** Adopted **Resolution No. 2009-680** authorizing the City Manager to execute Supplemental Agreement No. 1 to City Agreement No. 2008-0919 with RMC Water and Environment (RMC) for assistance with development of Sewer System Management Plan procedures for an amount not to exceed \$75,000 for the FY2009/10 agreement term.
- Contact:** David L. Brent, Engineering Services Manager, (916) 808-1420, Sherill Huun, Supervising Engineer, (916) 808-1455, Utilities Department.
16. **(Pass for Publication) Ordinance Amendment: Outdoor Water Conservation**
Location: (Citywide)
- Action:** 1) Reviewed an Ordinance amending Article XI of Chapter 13.04 of the Sacramento City Code, relating to outdoor water conservation; and 2) passed for publication the Ordinance title as required by Sacramento City Charter section 32, to be adopted November 3, 2009.
- Contact:** Michael Malone, Field Services Manager, (916) 808-6226, Terrance Davis, Field Services Program Manager, (916) 808-4929, Julie Friedman, Water Conservation Coordinator, (916) 808-7898, Utilities Department.
17. **Contract: American Recovery And Reinvestment Act (ARRA) Water Meter Retrofit Project Phase 6 (Z14010000)** (Continued from 9-29-09)
Location: (District 1)
- Action:** Adopted **Resolution No. 2009-681 as amended** awarding the contract for Phase 6 of the Water Meter Retrofit project to WR Forde Associates to install 1,045 meters on unmetered residential and commercial water services within the project area for an amount not to exceed \$1,113,400.
- Contact:** David L. Brent, Engineering Manager, (916) 808-420; Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.

Public Hearings (Items 18 and 19)

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

18. **Estimated Time: 30 minutes**
Rezoning for General Plan Consistency and Land Use Change (Noticed on 10-16-09, Passed for Publication on 10-20-09, Published on 10-23-09)
Location: (Citywide)

Action: Moved/Seconded: Member Bonnie Pannell/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 Trong Nguyen, Susa Ptlz, Derrick Waddell, Gilbert Leyva, Ted Chimu, and Doug Mason; and upon conclusion adopted 1) **Resolution No. 2009-682** approving an addendum to the previously certified 2030 General Plan MEIR; 2) **Ordinance No. 2009-047 as amended** rezoning various parcels to bring into consistency with the 2030 General Plan; 3) **Resolution No. 2009-683** amending the 2030 General Plan Land Use Diagram (technical corrections); and 4) **Resolution No. 2009-684** amending the text of the 2030 General Plan (technical corrections).

Contact: Teresa Haenggi, Associate Planner, (916) 808-7554, Jim McDonald AICP Senior Planner, (916) 808-5723, Community Development Department.

19. **Estimated Time: 1 hour**
Call-Up: Club Center Treepole for Verizon (P09-003) (Noticed on 9-11-09, Continued from 9-22-09, 10-6-09, 10-13-09, 10-20-09)
Location: 5508 Sorento Road (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.

A motion **passed** to continue to November 3, 2009.

Contact: Elise Gumm, LEED AP, Associate Planner, (916) 808-1927, Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department.

Discussion Calendar/Staff Reports (Items 20 -25)

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

20. **Estimated Time: 15 minutes**
Proposition 1A Securitization Program
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.

A motion **passed** adopting **Resolution No. 2009-686 as amended** 1) approving the form of and authorizing execution and delivery of a purchase and sale agreement and related documents with respect to the sale of City's Proposition 1A Receivable from the State; and 2) directing and authorizing certain other actions in connection to the sale.

Contact: Gus Vina, Assistant City Manager, (916) 808-7138, Office of the City Manager, Russell Fehr, City Treasurer, (916) 808-5832, Office of the City Treasurer.

21. **Estimated Time: 30 minutes**

Neighborhood Stabilization Program, Selection of Property Recycling Program Community Partners and Transfer of Property

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.

A Motion to Reconsider **passed** to allow for public comment.

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.

Public comment heard from Pam Canada, Ken Cross, Kirk Williams, and Maya Roy; and a motion **passed to** adopt **City Resolution No. 2009-687** a) confirming the Sacramento Housing and Redevelopment Agency (SHRA) to qualify three Volume Builder Community Partners and six Mission Driven Community Partners consistent with guidelines of the Property Recycling Program (PRP); b) authorizing SHRA to enter into a Master Project Agreement with the top ranked Volume Builder Community Partner and the top two ranked Mission Driven Community Partners; c) authorizing SHRA to enter into additional agreements with Volume Builder and Mission Driven Community Partners as needed; d) authorizing SHRA to transfer, through property specific Disposition and Development Agreements, all foreclosed single family residential properties acquired by SHRA for the purposes of rehabilitation and resale to homeowner occupants consistent with the agreement to its Volume Builder and Mission Driven Community Partners, including those properties already acquired by SHRA for the purposes of the program; and e) authorizing SHRA to amend Section 4.0 of the NSP Property Recycling Program Guidelines to remove the five-year equity restriction on sold properties.

Contact: Lisa Bates, Deputy Executive Director, (916) 440-1319, Chris Pahule, Assistant Director, (916) 440-1350, Sacramento Housing and Redevelopment Agency.

22. Estimated Time: 1 hour
Proposed Winter Shelter Strategy
Location: (Citywide)

Action: Public comment heard from Patty Kleinknecht and Tim Brown; received and provided direction.

Contact: Cassandra Jennings, Assistant City Manager, (916) 808-8888, and La Shelle Dozier, Executive Director, SHRA, (916) 440-1319, Sacramento Housing and Redevelopment Agency.

23. Estimated Time: 10 minutes
2010 One-Year Action Plan Budget for Various Programs
Location: (Citywide)

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.

Opened a public hearing with no public comment and upon conclusion a motion **passed** to adopt **City Resolution No. 2009-688** 1) approving the 2010 One-Year Action Plan Budget and amendments to various years' Action Plans; 2) authorizing the Sacramento Housing and Redevelopment Agency (SHRA) to submit the 2010 One-Year Action Plan and amendments to various years' Action Plans to the U.S. Department of Housing and Urban Development (HUD); 3) authorizing the City Manager and the Sacramento Housing and Redevelopment Agency (SHRA) Executive Director to execute agreements and contracts with the appropriate entities to carry out the Community Development Block Grant (CDBG), Neighborhood Stabilization Program (NSP), Community Development Block Grant – Recovery Act (CDBG R), and HOME Investment Partnership (HOME) funded activities; 4) amending the SHRA budget to receive CDBG and HOME grant funds in accordance with the 2010 One-Year Action Plan; 5) authorizing the County Department of Human Assistance (DHA) to receive Emergency Shelter Grant (ESG) and Housing Opportunities for Persons With AIDS (HOPWA) funds and to execute contracts with appropriate entities to carry out the projects contained within the One-Year Action Plan; 6) authorizing SHRA to act as general unit of local government for environmental review for HUD community development grants; 7) authorizing the SHRA Executive Director or designee to execute agreements with appropriate entities to carry out the environmental review for HUD grants; and 8) authorizing SHRA to charge and receive fees for environmental services provided to non-profit entities.

Contact: Geoffrey M. Ross, Program Manager, (916) 440-1357, Gregory Wessel, Assistant Director, (916) 440-1322, Sacramento Housing and Redevelopment Agency.

24. Estimated Time: 20 minutes
Community Development Department Audit and Investigation (oral report)
Location: (Citywide)

Action: Received and filed with Member Robbie Waters recused.

Contact: Ray Kerridge, City Manager, (916) 808-1930, Office of the City Manager.

25. **Estimated Time: 15 minutes**
State and Federal Transportation Grant Funding – Selection of Projects
Location: (Citywide)

Action: Adopted **Resolution No. 2009-689** approving the submission of projects to Sacramento Area Council of Governments (SACOG) for federal and state funding.

Contact: Lucinda Wilcox, Program Manager, (916) 808-5052, Ryan Moore, Supervising Engineer, (916) 808-8279, Transportation Department.

26. **Interim Ordinance for Beverage Bottling Plants (To Be Delivered)**
Location: (Citywide)

Action: Public comment heard from, Martin Burs, Mary Doherty, Alecia Wilmeth, Linda Bell, Dave Palais, Steve Mathias, Matthew Mahood, Mike Shelton, Mark Tindale, Shawn Eldridge, Shaina Meiners, Loran Sheley, Evan Tucker, Pete Grego, Tim Wilbanks, Betsey Weiland and Conny Anderson; and directed to refer to Law and Legislation Committee by normal process an Ordinance amending the City Zoning Code to require special permits and consider tiered water rates for commercial beverage bottling plants.

Contacts: David Kwong, Acting Director (916) 808-2691, Community Development Department and Sheryl Patterson, Senior Deputy City Attorney, (916) 808-5346, Office of the City Attorney.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

a. Member Sandy Sheedy

1. Examine Rezone Ordinance to Implement Solid Waste Overlay Zones.
2. Provide documentation on Facilities Permit Program (FPP)

2. Board and Commission Appointments

None

Adjourned-at 9:50 p.m. in memory of Jean Runyon and Mary Brill.