



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

# Minutes

**Tuesday, February 23, 2010**

**City Hall-915 I Street, 1<sup>st</sup> 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  
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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# Minutes

**Tuesday, February 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 6:08 p.m. Tuesday, February 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 Member Steve Cohn.

**Closed Session Report** – None.

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

[Actual Total Time-42 minutes]

1. Safeground and Homelessness
  - a. Tracie Rice Bailey
2. Reduced hours of City Animal Shelter
  - a. Carol Farris
  - b. Lauren True
  - c. Becky Correia
  - d. Moira Monahan
  - e. Becky Maclay
  - f. Melinie Diluck
  - g. Mary Bruck
  - h. Kay Schlegal
  - i. Martha Ann Blackman
  - j. Dia Goide
3. Youth Violence
  - a. Rhonda Erwin
4. Senior Issues
  - a. Bill Grant
5. Clean up along Two Rivers Trail-Lower American River Parkway
  - a. Mary Tappel
6. City Manager Departure
  - a. Mark Tyndale
7. State of the City
  - a. Shawn Eldredge

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

[Actual Total Time- 6 minutes]

**Action:** Moved/Seconded: Member Robbie Waters/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.

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 February 9, 2010**  
**Location:** (Citywide)

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

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

- 2. (Pass for Publication) 4300 8<sup>th</sup> Avenue Rezone (P09-044)**  
**Location:** (District 5)

**Action:** 1) Reviewed a) Resolution determining the project is exempt from environmental review; b) an Ordinance rezoning a 0.12± acres parcel from Limited Commercial (C-1) zone to Standard Single Family Residential (R-1) zone; and 2) Passed for Publication the Ordinance title as required by Sacramento City Charter 32c to be adopted on March 2<sup>nd</sup>, 2010.

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

- 3. Weed and Rubbish Abatement**  
**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-088** 1) declaring weeds, rubbish, refuse, and dirt to be a public nuisance pursuant to Government Code § 39561 and City Code Chapter 8.28; 2) declaring that weeds on specified parcels of property are seasonal and recurrent nuisances pursuant to Government Code § 39562.1 and City Code Chapter 8.28; 3) authorizing notification be sent to the owners of said real property having any objections to the proposed abatement of said nuisances in the manner prescribed by Government Code §§ 39567 and 39567.1 and Chapter 8.28 of the Sacramento City Code; and 4) setting a public hearing for March 16, 2010 for objections to be heard and given due consideration.

**Contact:** Troy Malaspino, Assistant Chief, Fire Marshal, (916) 808-1300, Sabrina Burigsay-Wilson, Account Clerk II, (916) 808-8061, Fire Department.

- 4. Grant Application: Annual Federal Funds for California Task Force Seven (CA TF-7), Urban Search and Rescue (US&R) Team**  
**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-089** 1) authorizing the City Manager, or his designee, to apply, sign and submit documentation for annual federal funding from the Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) for the California Task Force Seven, Urban Search and Rescue Team (CA TF-

7 US&R); 2) accepting federal funds, if awarded, in amount awarded; 3) establishing an operating grant for CA TF-7 US&R (G12501000) including revenue and expenditure budgets for the CA TF-7 US&R program; 4) accepting all eligible, grant related expenditures to the CA TF-7 US&R grant (G12501000) beginning May 1, 2010.

**Contact:** Ed Vasques, Assistant Fire Chief, (916) 264-7522, Denise Pinkston-Maas, Support Services Manager, (916) 808-1604, Fire Department.

**5. Agreements: Fire Apparatus Acquisition**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-090 as amended** 1) approving the use of Houston-Galveston Area Council (HGAC) cooperative purchasing agreement (Contract No. FS12-07) with Golden State Fire Apparatus, Inc. to purchase up to ten Pierce fire apparatus in an amount not to exceed \$6.3 million; 2) authorizing the Office of the City Treasurer to execute lease-financing documents with Bank of America NA to secure funding for the acquisition of fire apparatus in the estimated amount of \$4.8 million; 3) authorizing the City Manager or the City Manager's designee to execute the purchase specified above; 4) authorizing the Finance Director to amend the revenue and expenditure budget for the Fire Apparatus/Equipment capital improvement project (F12000300) to reflect the fire apparatus financing as secured by the City Treasurer; 5) authorizing the Finance Director to transfer up to \$110,000 from the North Natomas Community Improvement Fund (3201) to the North Natomas Fire Station 43 Capital Improvement Project (F13000700) for the increased costs of fire apparatus; and 6) directing staff to bring forward a Action to equip the North Natomas Fire Station(s), and, if appropriate, a Action to modify the standard-form North Natomas Development Agreement prior to executing the final purchase of the equipment.

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

**6. Agreements: Fleet Vehicles, Parts, Services, and Fuel**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-091** 1) approving the use of State of California contracts with: a) InterState Oil Co. for the purchase of E85 fuel in an amount not to exceed \$465,000 through December 21, 2012, or until the contract is no longer available for use; b) Wondries Fleet Group for the purchase of Ford hybrid vehicles in an amount not to exceed \$100,000 through September 30, 2010, or until the contract is no longer available for use; c) Coalinga Motors for the purchase of Chevrolet sport utility vehicles in an amount not to exceed \$100,000 through September 30, 2010, or until the contract is no longer available for use; d) Coalinga Motors for the purchase of Chevrolet alternative fuel vehicles in an amount not to exceed \$800,000 through September 30, 2010, or until the contract is no longer available for use; e) Downtown Ford for the purchase of Ford police enforcement sport utility vehicles in an amount not to exceed \$275,000 through October 30, 2010, or until the contract is no longer available for use; and f) Downtown Ford for the purchase of Ford trucks, vans, and utility vehicles in an amount not to exceed \$250,000 through September 30, 2010, or until the contract is no longer available for use; 2) approving the use of a U.S. Communities Contract with Hertz Equipment Rentals for the rental of vehicles and equipment in an amount not to exceed \$480,000 through March 31, 2014, or until the contract is no longer available for use; 3) approving the use of County of Sacramento contracts with: a) K&T Truck Repair for the purchase of heavy duty vehicle parts and

services in an amount not to exceed \$1,700,000 through May 30, 2012, or until the contract is no longer available for use; b) Mattle's Welding for the purchase of welding and metal fabrication services in an amount not to exceed \$500,000 through November 30, 2012, or until the contract is no longer available for use; and c) Safety Kleen for the purchase of parts washers and related services in an amount not to exceed \$315,000 through January 20, 2013, or until the contract is no longer available for use; and 4) approving an amendment to City of Sacramento contract with Burton's Fire Apparatus for fire apparatus parts and repair services for a revised amount not to exceed \$750,000 through February 13, 2011; and 5) authorizing the City Manager or the City Manager's designee to execute purchases in the amounts specified above provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

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

**7. Fiscal Year 2008/09 Comprehensive Annual Financial Report**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-092 as amended** 1) accepting the June 30, 2009 Comprehensive Annual Financial Report (CAFR); 2) accepting the June 30, 2009 Auditor's Report to City Council, 3) authorizing the designation of \$10,847,000 in General Funds from Fiscal Year (FY) 2008/09 year end results, in addition to the \$492,000 remaining from FY2007/08 year end results, to close FY 2009/10; and 4) authorizing the release of the \$11,339,000 FY 2008/09 year end designation as needed to close FY2009/10.

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

**8. Fiscal Year (FY) 2009/10 Midyear Report**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-093** 1) approving the FY2009/10 Annual Asset forfeiture Expenditure Master Plan; 2) approving recommended adjustments to the FY2009/10 Approved Budget necessary to implement the City's financial plan for the remainder of the fiscal year; and 3) authorizing the Director of Finance to take certain actions to implement the necessary budget adjustments.

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

**9. City Auditor Salary Range**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-094** establishing a new pay range for the City Auditor position.

**Contact:** Geri Hamby, Human Resources Director, (916) 808-7163, Human Resources Department.

**10. Supplemental Agreement: Labor Agreement in the Fire Department Unit**  
**Location:** (Citywide)

**Action:** Adopted 1) **Resolution No. 2010-095** amending the Employer-Employee Relations Policy (EERP) moving the Fire Battalion Chiefs from the unrepresented Exempt Management Unit (RU01) to the represented Fire Department Unit (RU05) and repealing the Employer-Employee Relations Policy (97-400 and 93-018); 2) **Resolution No. 2010-096** approving Supplemental No. 1 to City Agreement 2008-0364 amending the collective bargaining agreement with the Sacramento Area Fire Fighters Local 522 to cover the Fire Battalion Chiefs within the Fire Department Unit; and, 3) **Resolution No. 2010-097** approving the salary schedule applicable to the newly represented classification of Fire Battalion Chief

**Contact:** Dee Contreras, Director of Labor Relations, Ed Takach, Labor Relations Officer, (916) 808-5424, Labor Relations Department.

**11. Parks and Recreation Capital Improvement Program (CIP) Budgets (FY2009/10)**  
**Location:** (Districts 1, 2, 4, 6 and 8)

**Action:** Moved/Seconded: Member Bonnie Pannell/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.

Removed from Consent Calendar by Member Bonnie Pannell and a motion **passed** to adopt **Resolution No. 2010-098 as amended** 1) establishing new CIPs as follows: Camellia Park as L19202100, Franklin Boyce Park as L19118100, Fremont Park Improvements as L19119100, and Redding Avenue Park as L19150100; 2) transferring \$100,000 of Proposition 40 Roberti-Z'Berg-Harris (RZH) (Fund 3704) from Bill Bean Jr. Park Safety Tier II (L19808700) to Camellia Park (L19202100); 3) appropriating \$1,000,000 in Park Development Impact Fees (PIF) (Fund 3204) from Planning Area 4 and \$300,000 in Quimby in Lieu Fees (Fund 2508) to Franklin Boyce Park (L19118100); 4) appropriating \$36,000 from Planning Area 1 Quimby in Lieu Fees (Fund 2508) to Fremont Park Improvements (L19119100); 5) reprogramming a total of \$350,000 of Proposition 40 Per Capita (Fund 3704) consisting of \$35,000 from the Irrigation Infrastructure (L19703001) and \$315,000 from Bill Bean Jr. Park Safety Tier II (L19808700) to Redding Avenue Park (L19150100); 6) appropriating \$80,000 from Planning Area 9 Quimby in Lieu Fees (Fund 2508) to Jefferson Park Master Plan & Development (L19125100); 7) appropriating \$20,000 from Planning Area 1 Quimby in Lieu Fees (Fund 2508) to Zapata Park Community Garden (L19199000); 8) closing Shasta Park Development, Phase 1 (L19159100) and transferring the remaining fund balance of \$694,831 to the Quimby in Lieu Fees (Fund 2508) contingency; 9) closing Charlie Jensen Park (L19112000) and transferring the remaining fund balance of \$143,680 to the Park Development Impact Fees (PIF) (Fund 3204) contingency; and 10) defunding the remaining balance of \$250,000 (Fund 3702) from the Ueda Parkway Habitat Grant (K19002000) project and closing the project.

**Contact:** Sonja Jarvis, Staff Aide, (916) 808-8824, J.P. Tindell, Park Planning & Development Manager, (916) 808-1955, Parks and Recreation Department.

- 12. Agreement: Reimbursement to Sacramento City Unified School District for Building Move [2/3 Vote Required]**  
**Location:** Alice Birney Elementary School, 6251 13th Street, District 4; and John Cabrillo Elementary School, 1141 Seamas Avenue, District 4
- Action:** Adopted **Resolution No. 2010-099** 1) suspending competitive bidding for this project in the best interests of the City; 2) authorizing the City Manager to execute an agreement and any extensions, amendments, or other related documents with the Sacramento City Unified School District (District) as necessary for the District to move a City-owned portable modular classroom building from Alice Birney Elementary School (Birney) to John Cabrillo Elementary School (Cabrillo), to install and rehabilitate the building, and for the building to remain at Cabrillo; 3) establishing a new Capital Improvement Project (CIP) (L19803200) for the building move and its installation and rehabilitation at Cabrillo; and 4) appropriating \$119,892 from the Sacramento START Fund (2501) fund balance to the Cabrillo CIP.
- Contact:** David Mitchell, Operations Manager, (916) 808-6076, Alan Tomiyama, Recreation Manager, (916) 808-8958, Parks and Recreation Department.
- 13. Grant: Acceptance of Funding Sacramento Safe Community Partnership**  
**Location:** (Citywide)
- Action:** Adopted **Resolution No. 2010-100** authorizing the City Manager, or designee, to 1) accept a \$200,000 grant award from the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention; 2) establish a grant project for the grant, and 3) increase the Police Department's grant operating and revenue budgets in the amount of \$200,000.
- Contact:** Scott LaCosse, Captain, (916) 808-0551, Police Department.
- 14. Agreements: High Speed Rail Working Group**  
**Location:** (Citywide)
- Action:** Adopted **Resolution No. 2010-101** approving a Memorandum of Understanding (MOU) among the following jurisdictions: County of Merced, City of Merced, Merced County Association of Governments, County of Stanislaus, City of Modesto, City of Turlock, Stanislaus Council of Governments, San Joaquin Regional Rail Commission, San Joaquin County, City of Stockton, City of Lodi, City of Manteca, San Joaquin Regional Transit District, San Joaquin Council of Governments, County of Sacramento, City of Sacramento, City of Elk Grove, City of Galt, Sacramento Regional Transit, and the Sacramento Area Council of Governments
- Contact:** Fedolia "Sparky" Harris, Senior Planner (916) 808-2996, Transportation Department.
- 15. On-Street Angled Parking Program (\$15101500)**  
**Location:** 17<sup>th</sup> Street between G and H Streets. Location map - Exhibit A of Resolution (District 3)
- Action:** Adopted **Resolution No. 2010-102** approving implementation of on-street angled parking along 17<sup>th</sup> Street between G and H Streets.
- Contact:** Zarah Bringas, Assistant Civil Engineer, (916) 808-8494; Samar Hajeer, Senior Engineer, (916) 808-7808, Transportation Department.

**16. Mayfair Gardens Neighborhood Traffic Management Program Project (S15101104)**

**Location:** Bounded by 65<sup>th</sup> Avenue on the north, Nelmark Street and 32<sup>nd</sup> Street on the east, Meadowview Road on the south and 24<sup>th</sup> Street on the west (D-8)

**Action:** Adopted **Resolution No. 2010-103** approving the Mayfair Gardens Neighborhood Traffic Management Plan (NTMP) Project - Phase 1 Traffic Calming Plan.

**Contact:** Debb Newton, Program Analyst, (916) 808-6739, Angie Louie, Senior Engineer, (916) 808-7921, Transportation Department.

**17. Contracts: Purchase of Industrial Plumbing Parts**

**Location:** (Citywide)

**Action:** Adopted **Resolution No. 2010-104** 1) awarding a three-year contract for industrial plumbing parts to Ferguson Waterworks for an amount not-to-exceed \$2,600,000; 2) awarding a three-year contract for industrial plumbing parts to Groeniger and Co. for an amount not-to-exceed \$900,000; and 3) awarding a three-year contract for industrial plumbing parts to Pace Supply Corp. for an amount not-to-exceed \$1,500,000.

**Contact:** Marc Robles, Program Analyst, Procurement Services, (916) 808-6343 Procurement Department, Ken Swartz, Stores Administrator, Field Services, (916) 808-6276, Utilities Department.

**18. Contract: Sacramento Regional Water Meter Installation Acceleration Project, Water Service Meter Retrofit - Phase 13 (Z14010031)**

**Location:** (District 7)

**Action:** Adopted **Resolution No. 2010-105** awarding the contract to Marques Pipeline, Inc. to install 2,276 meters on unmetered residential and commercial services within the project area for an amount not to exceed \$2,357,045.

**Contact:** David L. Brent, Engineering Services Manager, (916) 808-1420, Dan Sherry, Supervising Engineer, (916) 808-1419, Utilities Department.

**Public Hearings (Item 19)**

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

**19. Estimated Time: 5 minutes [Actual Total Time-2 minutes]  
Reactivation Fee for Expired Building Permits and Building Permit Applications pursuant to Ordinance No. 2009-008 (Noticed on 2-9-10)**

**Location:** (Citywide)

**Action:** Moved/Seconded: Member Ray Tretheway/Member Sandy Sheedy

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

**Absent:** Members Steve Cohn and Lauren Hammond.

Conducted a Public Hearing with no public comment and upon conclusion a motion passed to close the public hearing and adopt **Resolution No. 2010-106** establishing a fee for reactivation of building permits and building permit applications pursuant to



Ordinance No. 2009-008 (Three-year extension of certain land use entitlement and building permits.)

**Contact:** Carl Hefner, Chief Building Official, (916) 808-8779; David Kwong, Acting Director of Community Development, (916) 808-2691.

### **Discussion Calendar (Items 20 - 29)**

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

**20. Estimated Time: 15 minutes [Actual Total Time-13 minutes]**

**Update on the American River Parkway [Oral Report]**

**Location:** (Citywide)

**Action:** Received and filed.

**Contact:** Jim Combs, Parks and Recreation Director, (916) 808-8526, Parks and Recreation Department.

**21. Estimated Time: 30 minutes [Actual Total Time-11 minutes]**

**Ordinance Amendment: Approval of Amendments to Living Wage and Prevailing Wage** (Passed for Publication on 2-16-10, Published on 2-19-10)

**Location:** (Citywide)

**Action:** Moved/Seconded: Member Lauren Hammond/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 adopt **Ordinance No. 2010-005** a) amending City Code section 3.58.030 pertaining to the payment of a living wage and repealing City Code section 3.56.070 pertaining to the payment of prevailing wages, to establish a single authority for regulating the wage rates and optional health benefit standards for employees of contractors performing non-professional services, and b) adding section 3.56.070 to extend the 60 day transition employment period for janitors set forth in Labor Code §1061 to 90 days.

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

**22. Estimated Time: 20 minutes [Actual Total Time-5 minutes]**

**City Attorney's Legal Opinion Policy and City Council's Confidentiality Policy [To Be Delivered]**

**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.

A motion **passed** to adopt 1) **Resolution No. 2010-107** approving the City Attorney's Legal Opinion Policy; and 2) **Resolution No. 2010-108** establishing a City Council Confidentiality Policy.

**Contact:** Eileen Teichert, (916) 808-5426, Office of the City Attorney.

23. **Estimated Time: 20 minutes [Actual Total Time-10 minutes]**  
**Report Back: Possible Amendments to the Independent Budget Analyst Act**  
**Location: (Citywide)**
- Action:** Reviewed and discussed possible amendments to the "Independent Budget Analyst Act of 2009" initiative ordinance that are consistent with the purpose of the ordinance.
- Contact:** Matt Ruyak, Supervising Deputy Attorney, (916) 808-5346, Office of the City Attorney.
24. **Estimated Time: 20 minutes [Actual Total Time-33 minutes]**  
**Ordinance Adoption: Independent Budget Analyst Act of 2009**  
**Location: (Citywide)**
- Action:** Moved/Seconded: Member Steve Cohn/Member Lauren Hammond
- Yes:** Members Steve Cohn, Lauren Hammond, Ray Tretheway, Robbie Waters and Mayor Kevin Johnson.
- No:** Members Robert King Fong, Kevin McCarty, Bonnie Pannell, and Sandy Sheedy.
- Public Comment heard by Steve Crouch and a motion **passed** to 1) adopt **Ordinance No. 2010-006** adding chapter 2.33 (Establishment of Office of the Independent Budget Analyst) to the Sacramento City Code, and amending chapter 2.32 (Department of Finance) of the Sacramento City Code; 2) direct the ordinance to be published pursuant to Sacramento City Charter section 32 (d) and 3) direct the City Attorney to work with the Budget Analyst when hired regarding future appropriate ordinance amendments.
- Contact:** Matt Ruyak, Supervising Deputy Attorney, (916) 808-5346, Office of the City Attorney.
25. **Estimated Time: 5 minutes [Actual Total Time-0 minutes]**  
**Ordering and Giving Notice of a Measure for Inclusion on the June 8, 2010 Primary Municipal Election Ballot – Independent Budget Analyst Act of 2009**  
(Continued from 2-16-10)  
**Location: (Citywide)**
- Action:** **Withdrawn by staff** to adopt a Resolution ordering and giving notice of an initiative ordinance measure to be placed on the June 8, 2010, ballot regarding the proposed addition of Chapter 2.33 (Establishment of Office of the Independent Budget Analyst) and amendment of Chapter 2.32 (Department of Finance) of the Sacramento City Code.
- Contact:** Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk

26. **Estimated Time: 5 minutes [Actual Total Time-0 minutes]**  
**Directing Preparation of Attorney's Impartial Analysis for a June 8, 2010 Ballot Measure – Independent Budget Analyst Act of 2009** (Continued from 2-16-10)  
**Location:** (Citywide)
- Action: Withdrawn by staff** to adopt a Resolution directing the preparation of an impartial analysis for the June 8, 2010 initiative ordinance ballot measure regarding proposed changes to the Sacramento City Code pertaining to the Independent Budget Analyst Act of 2009.
- Contact:** Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk.
27. **Estimated Time: 5 minutes [Actual Total Time-0 minutes]**  
**Authorization of City Council Members to Submit a Ballot Argument for the June 8, 2010, Ballot Measure-Independent Budget Analyst Act of 2009**  
**Location:** (Citywide)
- Action: Withdrawn by staff** to adopt a Resolution one or more members of the City Council, or the City Council as a body, to submit an argument in opposition to the Independent Budget Analyst Act of 2009 initiative ordinance measure to be submitted to the voters at the consolidated election of June 9, 2010.
- Contact:** Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Shirley Concolino, City Clerk, (916) 808-7200, Office of the City Clerk.

**Council Requests (Items 28 and 29)**

28. **Clarification of Scheduling for Council Requested Reports**  
**Requestor:** Mayor Kevin Johnson  
**Date Requested:** February 16, 2010
- Request:** Return to Council on March 16, 2010 with an action for a process and procedure for effectively managing the schedule for Council requested report backs allowing adequate time for staff to research and prepare quality material.
- Contact:** Mayor Kevin Johnson, (916) 808-5407, Office of the Mayor.
- Action:** None.
29. **Report Back: Acceptance of Grant Funding and Establishing Full Time Equivalent Position (FTE)**  
**Requestor:** Mayor Kevin Johnson  
**Date Requested:** February 16, 2010
- Request:** Return to Council on March 16, 2010 with a Action to accept the \$200,000 Cities of Service Leadership Grant from the Cities of Service and the Rockefeller Foundation and authorizing a full time equivalent position to manage this program.
- Contact:** Mayor Kevin Johnson, (916) 808-5407, Office of the Mayor.
- Action:** None.

### Information Reports (Items 30 and 31)

These items are for information only and are not eligible for action at this time.

30. **Informational Report: Community Racial Profiling Commission Quarterly Report (July-September 2009)**  
Location: (Citywide)

Action: Received and filed.

Contact: Katherine Lester, Lieutenant, (916) 808-0800, Police Department.

31. **Informational Report: Community Racial Profiling Commission Quarterly Report (October-December 2009)**  
Location: (Citywide)

Action: Received and filed.

Contact: Katherine Lester, Lieutenant, (916) 808-0800, Police Department.

### Council Comments-Ideas, Questions and Meeting/Conference Reports

#### 1. Report Back

- a. Member Lauren Hammond

1. City Attorney opinion regarding the legal ramifications of a project coming to Council requiring an Environmental Impact Report (EIR) only without entitlements.

#### 2. Board/Commission Appointments

None.

**Recessed to Close Session-** at 8:20 p.m.

**Closed Session Report** – Mayor Johnson reported from the dais that the Council by a unanimous vote appointed Gus Vina as Acting City Manager effective at noon on Friday February 26, 2010.

Adjourned - at 9:12 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the February 23, 2010 meeting as approved by the Sacramento City Council.



Shirley Concolino, City Clerk