



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

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

Minutes

Tuesday, October 12, 2010

6:00 P.M.

City Hall-915 I Street, 1st Floor Council Chamber

Published by the Office of the City Clerk (916) 808-7200

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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Minutes

Tuesday, October 12, 2010

6:00 P.M.

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 6:02 p.m. Tuesday, October 12, 2010 at the Sacramento City Hall Council Chamber.

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

Absent: Member Steve Cohn; Member Robbie Waters departed at 6:25 pm.

Pledge of Allegiance—led by Jantel Wells, student participant in Youth @ City Council Program.

Closed Session Report – None.

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual Time: 11 minutes)

1. Safeguard and Homelessness
 - a. Regina Range
 - b. Barbara Baker
2. Taxi Ordinance
 - a. Bjajan Bariana
 - b. Mameshinder Singh
 - c. Kazman Zaini
3. Cardiovascular Fitness Equipment
 - a. David O Homa

Consent Calendar (Items 1 - 14) Estimated Time: 5 minutes (Actual Time: 3 minutes)

Action: Moved/Seconded: Member Robbie Waters/Member Robert King Fong

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

Absent: Member Steve Cohn.

A motion **passed** adopting 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 September 28, 2010

Location: (Citywide)

Action: Approved the City Council, Financing Authority, Housing Authority, and Redevelopment Agency Minutes for September 28, 2010.

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 on 10/13/10 for: 1) Sacramento Youth Commission with applications due on 10/22/10 and 2) Sacramento Disabilities Advisory Commission with applications due on 11/12/10.

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 on 10/13/10 for the: 1) Administration, Investment & Fiscal Management Board with applications due 12/03/10; 2) Ann Land/Bertha Henschel Memorial Fund Commission with applications due 12/03/10; 3) Oak Park RAC with applications due 12/10/10; 4) City Planning Commission with applications due 12/10/10; 5) 65th Street RAC with applications due 12/10/10; 6) Design Commission with application due 12/10/10; 7) Preservation Commission with applications due 12/17/10; 8) Human Rights/Fair Housing Commission with applications due 12/17/10; 9) Small Business Development & Employment Advisory Board with applications due 12/17/10; 10) Board of Plumbing Examiners with applications due 01/07/11; 11) Stockton Blvd. RAC with applications due 01/14/11; 12) Housing Code Advisory & Appeals Board with applications due 01/28/11; 13) North Sacramento RAC with applications due 03/04/11; 14) Animal Care Services with applications due 03/11/11; 15) Sacramento Army Depot RAC with applications due 03/25/11; and 16) Sacramento City/County Bicycle Advisory with applications due 03/25/11.

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

4. City Board and Commission Term Expiration List for 2011

Location: (Citywide)

Action: Received and filed.

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

5. **(Pass for Publication) Ordinance Amendment: Staggered Terms on the Parks and Recreation Commission**
Location: (Citywide)
Action: 1) Reviewed an Ordinance amending section 2.62.020 (D) of the Sacramento City Code relating to staggered terms of the Parks and Recreation Commission; and 2) passed for publication the ordinance title as required by the Sacramento City Charter Section 32(c) to be **adopted on October 19, 2010.**
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk.
6. **(Pass for Publication) Florin Road Corridor Plan – Policies, Rezones and Design**
Location: Florin Road from Tamoshanter Way to Franklin Boulevard
(Districts 5 and 8)
Action: Reviewed 1) a Resolution approving environmental review of the actions implementing the Florin Road Corridor Plan, 2) a Resolution amending the 2030 General Plan to add new policies to the South Area Community Plan chapter and to establish the Florin station area as a Transit Village Development District under State law; 3) a Resolution amending the General Plan land use diagram to change the land use designation for parcel 049-0010-103-0000; 4) a Resolution approving the Florin Road Corridor Design Guidelines; 5) an Ordinance rezoning various parcels on the Florin Road Corridor and forward a Action of approval of these to Council; 6) an Ordinance establishing the new Florin Road Corridor Design Review District per Chapter 17.132 of the City Code; and 7) passed for publication the Ordinances' titles as required by Sacramento City Charter 32(c) to be **adopted on October 19, 2010.**
Contact: Remi Mendoza, Associate Planner,(916) 808-5003, Desmond Parrington, AICP, Infill Coordinator, (916) 808-5044, Community Development Department.
7. **Agreements: Sacramento Municipal Utility District (SMUD) System Enhancement Program: Richards Boulevard Utility Underground Project (B18219100)**
Location: (District 1)
Action: Adopted **Resolution No. 2010-585** 1) establishing the project; 2) establishing revenue and expenditure budgets for the project in an amount not to exceed \$800,000 in the Capital Grants Fund (Fund 3702); 3) approving and authorizing the City Manager or his designee to execute an SD-14 Agreement with SMUD in an amount not to exceed \$800,000; 4) approving and authorizing the City Manager or his designee to execute an Assignment Agreement with Capitol Station 65, LLC, allocating SD-14 funds to construct the Richards Boulevard Utility Underground Project.
Contact: Diana Sasser, Project Manager, (916) 808-5519, Jim Rinehart, Economic Development Director, (916) 808-5054, Economic Development Department

8. **Agreement: Purchase of Cardiovascular Fitness Equipment (Bid Number: B112552004)**
Location: (Citywide)
Action: **Withdrawn by staff** to adopt a awarding a one year contract to Advantage Fitness Products, the lowest responsible and responsive bidder as a result of, for the purchase of cardiovascular fitness equipment in an amount not to exceed \$150,000.
Contact: Kim E. Iannucci, Assistant Chief, (916) 216-0305, Fire Department.
9. **Fiscal Year 2010/2011: Execution of the Transportation Development Act Claim Packet**
Location: (Citywide)
Action: Adopted **Resolution No. 2010-587** 1) approving a Transportation Development Act claim for reimbursement in the amount of \$218,939 for various bicycle and pedestrian facilities in Fiscal Year 2010/2011 (FY2010/11); and 2) authorizing the City Manager to execute and submit the Transportation Development Act claim in the amount of \$218,939 for FY2010/11 to the Sacramento Area Council of Governments for approval and reimbursement to Transportation Development Act Funds, Fund 2013.
Contact: Sonja Jarvis, Fiscal Lead, (916) 808-8824, J.P. Tindell, Park Planning and Development Manager, (916) 808-1955, Parks and Recreation Department.
10. **Agreement: Bargaining Agreement Covering Employees**
Location: (Citywide)
Action: Adopted **Resolution No. 2010-588** approving the collective bargaining agreement covering employees in the Plumbers and Pipefitters, Local 447 Water and Sewer Unit.
Contact: Geri Hamby, Director of Human Resources, (916) 808-7173, Human Resources Department.
11. **Supplemental Agreement: School Resource Officer Amended Agreement with Sacramento City Unified School District (SCUSD)**
Location: (Citywide)
Action: Adopted **Resolution No. 2010-589** 1) authorizing the City Manager or designee to execute Supplemental No. 1 to City Agreement 2009-090 between the Sacramento Police Department (SPD) and SCUSD to increase the agreement not-to-exceed amount by \$454,437, for a total agreement not to exceed amount of \$7,360,593, and amend the scope of services to include the addition of one Full Time Equivalent (FTE) Police Officer position and one additional vehicle, 2) authorizing the City Manager or designee to increase SPD staffing by one (1.00) Police Officer FTE position and; 3) authorizing the City Manager or designee to increase the appropriate grant revenue and expense budget adjustments by \$454,437 to implement the supplemental agreement with SCUSD.
Contact: Dan Schiele, Captain, (916) 808-6150, Police Department.

12. **Agreement: 12th Street Corridor Safety Improvement Project (T15115000)**
Location: 12th Street Corridor (District 1)
Action: Adopted **Resolution No. 2010-590** 1) authorizing the City Manager to execute Program Supplement No. 03-5002R-N128-ISTEA for the project; and 2) transferring funds in the amount of \$100,000 (Fund 2007) from the State and Federal Grant Match Program (T15007200) to the project.

Contact: Mehrdad Nazeri, Associate Civil Engineer (916) 808-7460, Ryan Moore, Supervising Engineer (916) 808-8279, Transportation Department.

13. **Parking Enforcement Citation and Arrest Authority**
Location: (Citywide)

Action: Adopted **Resolution No. 2010-591** granting citation and arrest authority to Parking Enforcement Officers in the Parking Services Division within the Department of Transportation.

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

Public Hearings (Items 14 - 16)

14. **Estimated Time: 5 minutes** (Actual Time: 2 minutes)
Neighborhood Code Compliance Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 8-20-10)
Location: (Citywide)

Action: Moved/Seconded: Member Lauren Hammond/Member Kevin McCarty

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

Absent: Member Steve Cohn.

Conducted a public hearing and upon conclusion; a motion **passed** adopting **Resolution No. 2010-592 as amended** placing liens on the properties in the amount of \$70,543 for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

Contact: Dennis Kubo, Code Enforcement Manager, (916) 808-8577, Community Development Department.

15. **Estimated Time: 5 minutes** (Actual Time: 1 minutes)
Housing Case Fees and Penalties – Findings of Fact for Special Assessment Liens (Noticed on 8-20-10)
Location: (Citywide)

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

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

Absent: Member Steve Cohn.

Conducted a public hearing and upon conclusion; a motion **passed** adopting **Resolution No. 2010-593 as amended** placing special assessment liens on the properties in the amount of \$489,269 for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

Contact: Randy Stratton, Code Enforcement Manager, (916) 808-6497, Community Development Department.

16. **Estimated Time: 10 minutes** (Actual Time: 2 minutes)
Ordinance Amendment: 2010 Regulatory Improvement Bundle 2010 (M09-034)
(Passed for publication on 10-5-10, published on 10-8-10)
Location: (Citywide)

Action: Moved/Seconded: Member Sandy Sheedy/Member Lauren Hammond

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

Absent: Member Steve Cohn.

Conducted a public hearing and upon conclusion; a motion **passed** adopting 1) **Ordinance No. 2010-029** amending various sections of Title 17 of the Sacramento City Code (Zoning Code) relating to application processing and code maintenance; 2) **Ordinance No. 2010-030** amending various sections Title 16 of the Sacramento City Code (Subdivision Code) relating to application processing and code maintenance; 3) **Ordinance No. 2010-031** amending various sections Title 17 of the Sacramento City Code (Zoning Code) relating to home occupations; and 4) **Ordinance No. 2010-032** amending various sections Title 17 and Title 3 of the Sacramento City Code relating to sidewalk cafes.

Contact: Sandra Yope, Senior Planner, (916) 808-7158, Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department.

Discussion Calendar/Staff Reports (Items 17 - 19)

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

17. **Estimated Time: 1 hour** (Actual Time: 1 hour and 58 minutes)
Performance Audit of the Sacramento Community Development Department
Location: (Citywide)

Action: Moved/Seconded: Member Robert King Fong/Member Ray Tretheway

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

Absent: Members Steve Cohn and Robbie Waters (Recused).

A motion **passed** approving the Performance Audit of the Sacramento Community Development Department.

Contact: Jorge Oseguera, City Auditor, (916) 808-7270.

18. **Estimated Time: 45 minutes** (Actual Time: 0 minutes)
Update: Greenwise Initiative Progress [Oral Report]
Location: (Citywide)

Action: Continued to November 4, 2010.

Contact: Yvette Rincon, Senior Management Analyst, (916) 808-5827, Office of the City Manager.

19. **Estimated Time: 30 minutes** (Actual Time: 0 minutes)
Federal Emergency Management Agency Corrective Action Plan Approval [2/3 Votes Required] [To Be Delivered]
Location: (Citywide)

Action: Continued to October 19, 2010 a Resolution 1) approving the Corrective Action Plan (Exhibit A) and the Burn Repair Permits Remediation Plan (Exhibit B) to address violations for the issuance of building permits in Natomas; and 2) suspending competitive bidding as in the best interests of the City and authorizing the City Manager or the City Manager's designee to purchase flood protection equipment and materials from FloodWalls for an amount not to exceed \$350,000.

Contact: David L. Brent, Engineering Manager, (916) 808-1420, Utilities Department, Ron O'Connor Operations Manager, (916) 808-8183, Community Development Department.

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Robert King Fong

1. Agendize the Community Development Department Audit for further discussion

- b. Member Kevin McCarty

1. Agendize placement of Department of Utilities on the Audit Plan Schedule

2. Board/Commission Appointments

- a. Animal Care Services Advisory Committee

1. Stephen Bruhn-Cital

- b. Community Racial Profiling Commission

1. Alani Cridge

- c. Compensation Committee

1. Elizabeth Cantu

2. Brett Hopkins

- d. Sacramento Youth Commission

1. Charlissa Alexander

2. Markus MariLiu

3. RYanne Haymer

- e. Solid Waste Authority

1. Steven Peterson

- f. Transportation Programming Guide


1. Sam Delson

2. Ko-ching Chang

3. Sam Delson

Adjourned –8:30 p.m. in memory of Gil Ramirez and James Saunders.

This is to certify that the foregoing is a true and correct copy of the minutes of the October 12, 2010 meeting as approved by the Sacramento City Council.


Shirley Concolino, City Clerk