



Meetings of Sacramento City Council Financing Authority Housing Authority

CITY COUNCIL

Kevin Johnson, Mayor
Angelique Ashby, Vice-Mayor, District 1
Sandy Sheedy, District 2
Steve Cohn, District 3
Robert King Fong, District 4
Jay Schenirer, District 5
Kevin McCarty, District 6
Darrell Fong, District 7
Bonnie Pannell, District 8

DRAFT Minutes

Tuesday, October 9, 2012

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

Sandra Talbott, Interim City Attorney
Shirley Concolino, City Clerk
John F. Shirey, 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 Recommendation; 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.

Meetings are broadcast live on Metrocable, Channel 14, AT&T Broadband Cable System and rebroadcast on the Saturday following the date of the meeting. (Check Listings)

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Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.

DRAFT Minutes

Tuesday, October 9, 2012

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 6:00 p.m. Tuesday, October 9, 2012 at the Sacramento City Hall Council Chamber.

Members Present: Members Angelique Ashby, Steve Cohn, Darrell Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson

Absent: Member Robert King Fong

Pledge of Allegiance – led by Member Jay Schenirer

Closed Session Report - None

Special Presentations/General Communications

- a. **Recognizing Barbara Oliva, Historic Rose Garden Founder, and the 20th Anniversary of the Sacramento Historic Rose Garden**

Action: Presented by Member Steve Cohn

Public Comments-Matters Not on the Agenda (2 minutes per speaker) (Actual: 14 minutes)

- | | |
|---|---|
| 1. Election Ethics Violation
a. Anna Molander | 3. African American Concerns
a. Mac Worthy |
| 2. Oak Park Concerns
a. Ron Emslie
b. Charles Moore | 4. Youth at City Council
Recruitment
a. Ijeomao Ononuju |
| | 5. Citizens Auditor-Senior Issues
a. Bill Grant |

Consent Calendar (Items 1 - 8) **Estimated Time: 5 minutes** (Actual: 3 minutes)

Action: Moved/Seconded: Member Steve Cohn /Member Angelique Ashby

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson

Absent: Member Robert King Fong

A motion **passed** to adopt the Consent Calendar in one motion except as indicated at each item

- 1. Confirmation of Board/Commission Appointments**
Report # 2012-00846
Location: Citywide
Action: Passed **Motion No. 2012-238** confirming board/commission appointment(s):
1) Sacramento Youth Commission – Angel Dupont (Category A-5), Pa Yang (Category A-8), Charles Booth (Category A-8); 2) Community Racial Profiling Commission – Harry Block (Category D-2); 3) Parks & Recreation Commission – Virginia Guadiana (Category A-8); 4) Animal Care Services Citizens Advisory Committee – Dawn M. Capp (Category B); 5) Sacramento Disabilities Advisory Commission – Italia Tornabene.
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk
- 2. Mixed-Income Housing Ordinance Update Project (I21005000)**
Report # 2012-00792
Location: Citywide
Action: Public comment heard from Mac Worthy and upon conclusion passed **Resolution No. 2012-346** 1) establishing the Mixed-Income Housing Ordinance Update Project as a new Multi-Year Operating Project; 2) transferring \$74,005 from the Community Development Department’s operating budget and appropriating \$37,755 from the Development Services Fund (Fund 2016) to the Mixed-Income Housing Ordinance Update Project (I21005000); and 3) authorizing the City Manager or his designee to execute a professional services agreement with Keyser Marston Associates for \$111,760 to assist staff with technical studies and guidance necessary for the update.
Contact: Desmond Parrington, Infill Coordinator, (916) 808-5044; Thomas S. Pace, Long Range Planning Manager, (916) 808-6848, Community Development Department
- 3. Supplemental Agreement: Trash and Debris Services**
Report # 2012-00796
Location: Citywide
Action: Public comment heard from Mac Worthy and upon conclusion passed **Motion No. 2012-239** authorizing the City Manager, or the City Manager’s designee to execute supplemental agreements with Gray Construction and Securement Services, Inc., Innovative Maintenance Solutions, Inc., and Junk King, Inc. in the amount of \$100,000, respectively, for a total not to exceed amount of \$399,000, in order to provide Trash and Debris services for the Community Development Department.
Contact: Dennis Kubo, Program Manager, (916) 808-8577, Community Development Department
- 4. 2035 General Plan Update, Housing Element, and Master Environmental Impact Report (EIR) (LR12-003)**
Report # 2012-00789
Location: Citywide
Action: Passed **Resolution No. 2012-347:** 1) appropriating \$434,912 from the Development Services Fund (Fund 2016) to the General Plan Update Project (I22400000) and 2) authorizing the City Manager or his designee to execute a professional services agreement with Mintier Harnish Planning Consultants, in an amount not to exceed \$899,941, to assist staff with preparation of a five year update to the 2030 General Plan and Master Environmental Impact Report, and with preparation of the Housing Element.
Contact: Remi Mendoza, Assistant Planner, (916) 808-5003, Community Development Department

5. **Supplemental Agreement: Plant Services iNet Gas Detector Usage**
Report # 2012-00791
Location: Citywide
Action: Passed **Motion No. 2012-240** authorizing the City Manager or the City Manager's designee to approve an addendum to the Usage Agreement with Industrial Scientific Corporation for the use, maintenance, and monitoring of gas detection equipment for a 33 month lease term, to change equipment and add equipment, and increase the total lease amount, including taxes, to \$101,435.22.
Contact: Mark Laurenzi, Water Sewer Superintendent, (916) 808-5674, Department of Utilities

6. **Contracts: Purchase of Concrete [2/3 Vote Required]**
Report # 2012-00766
Location: Citywide
Action: Public comment heard from Mac Worthy and upon conclusion passed **Motion No. 2012-241:** 1) suspending competitive bidding for the procurement of Ready Mix Concrete as it is in the best interests of the City; 2) awarding a one year contract for the purchase of Ready Mix Concrete to a) Folsom Ready Mix, Inc., b) Livingstons Concrete, and c) A&A Concrete Supply for a total not to exceed amount of \$400,000, with options to extend the agreement for up to two additional one-year periods for an aggregated not to exceed amount of \$1,200,000; 3) authorizing the City Manager to execute the agreements.
Contact: Erick Talavera, Operations General Supervisor, (916) 808-2272; Juan Montanez, Street Services Manager, (916) 808-2254, Department of Public Works

7. **Cooperative Purchase Agreement: Green Waste Containers (I14120500)**
Report # 2012-00776
Location: Citywide
Action: Passed **Motion No. 2012-242 as amended:** 1) approving the use of the National Intergovernmental Purchasing Alliance cooperative purchase agreement (Contract No. 083008-01) with Toter Incorporated for the purchase of up to **26,000** yard waste containers in an amount not to exceed **\$1,409,900** through December 16, 2012 or until the contract is no longer available for use; and 2) authorizing the City Manager or the City Manager's designee to execute the purchase.
Contact: Steve Harriman, Integrated Waste General Manager, (916) 808-4949, General Services Department

8. **Citation Authority for Animal Control Officers**
Report # 2012-00795
Location: Citywide
Action: Passed **Resolution No. 2012-348** granting citation and arrest authority to the Animal Control Officers in the Animal Care Services Division of the Department of General Services in order to enforce provisions of the City Code, California Penal Code and all applicable Federal, State and local ordinances Animal Control Officers are authorized to enforce.
Contact: Gina Knepp, Manager, Animal Care Services, (916) 808-8333, General Services Department

Public Hearings (Item 9)

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

9. Vacation of a Portion of the Public Alley Bounded by Rio Linda Boulevard, Cypress Street, Grand and Roanoke Avenues (Noticed on 9-27-12)

Report # 2012-00786 **Estimated Time: 10 Minutes** (Actual: 2 minutes)

Location: East of Rio Linda Boulevard at Roanoke Avenue, District 2

Action: Moved/Seconded: Member Sandy Sheedy /Member Angelique Ashby

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson

Absent: Member Robert King Fong

Conducted a public hearing and upon conclusion, passed **Resolution No. 2012-349:**

1) vacating a portion of the public alley located east of Rio Linda Boulevard and north of Roanoke Avenue and 2) removing the restriction to vehicular and pedestrian traffic previously authorized pursuant to Resolution 2008-689.

Contact: Thomas Adams, Engineering Technician II, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

Discussion Calendar (Items 10 - 11)

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

10. Policy Discussion on Items Related to Medical Marijuana

Report # 2012-00754 **Estimated Time: 60 Minutes** (Actual: 0 minutes)

Location: Citywide

Action: Continued to October 16, 2012, to pass an Ordinance to: 1) Discuss the policy implications in amending the City Code to modify regulations regarding the location of medical marijuana dispensaries in relation to sensitive uses and prohibit the outdoor cultivation of medical marijuana in residential areas; and 2) a Motion to direct staff to prepare an ordinance prohibiting the outdoor cultivation of medical marijuana in residential areas.

Contact: Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

11. Ordinance Amendment: Special Events and Commercial Uses in City Parks and Community Centers and Establishing Special Event Fees (Passed for Publication 9-27-12; Published on 10-2-12)

Report # 2012-00785 **Estimated Time: 15 Minutes** (Actual: 6 minutes)

Location: Citywide

Action: Moved/Seconded: Member Steve Cohn /Member Darrell Fong

Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Kevin McCarty, Bonnie Pannell, Sandy Sheedy, Jay Schenirer and Mayor Kevin Johnson

Absent: Member Robert King Fong

Public comment heard from Mac Worthy; and upon conclusion, passed **Ordinance No. 2012-042** amending Chapter 5.88, and repealing and reenacting Chapters 12.48 and 12.72 of the Sacramento City Code relating to Outdoor Vending, Special Events and Commercial Activities in City Parks and Park Buildings, and 2) passed **Resolution No. 2012-350** Amending Fees and Charges Report to Establish Special Event Fees.
Contact: Teresa Jackson, General Recreation Supervisor, (916) 808-3818; Vincene Jones, Division Manager, (916) 808-5072, Neighborhood Services, Department of Parks and Recreation

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Information

- a. Councilmember Steve Cohn reported on his trip to Drexel University to discuss expansion in Sacramento (AB1234 compliance)

2. Board/Commission Appointments - None

Adjournment – 6:42 p.m.