



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

CITY COUNCIL

Kevin Johnson, Mayor
Angelique Ashby, 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, Vice-Mayor, District 8

DRAFT Minutes

Tuesday, November 08, 2011

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
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 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.

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)

Live videostreams and indexed archives of meetings are available via the internet. Visit the City's official website at http://sacramento.granicus.com/ViewPublisher.php?view_id=21.

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, November 8, 2011

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, November 8, 2011 at the Sacramento City Hall Council Chamber.

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

Pledge of Allegiance - led by Raymond Robinson, student participant in Youth @ City Council Program.

Closed Session Report – None.

Public Comments-Matters Not on the Agenda (2 minutes per speaker)(Actual Time: 46 minutes)

1. Occupy Sacramento
 - a. Mark Sitton
 - b. Autumn Thomas
 - c. Tiffany Clark
 - d. Samuel Gomez
 - e. Tim Boyd
 - f. Lars Rubalaba
 - g. Mariam Noujaim
 - h. Matthew Jacobs
 - i. Matt Woliver
 - j. Carol York
 - k. David Witkin
 - l. Solomon Witkin
 - m. Christopher MacDonald
 - n. Christina Kay
 - o. Kevin Carter
 - p. Carla Gillett
 - q. Mac Worthy
2. Commercial Vehicles in Residential
 - a. Jerry Richardson Sr
3. American River Parkway Safety
 - a. Mary Tappel
4. Senior Issues
 - a. Bill Grant
5. Handling of Funds for Arena
 - a. John Lane

Consent Calendar (Items 1 - 3) Estimated Time: 5 minutes (Actual Time: 4 minutes)

Action: **Moved/Seconded:** Member Robert King Fong/Kevin McCarty

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

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

1. **Confirmation of Board/Commission Appointments**
Report # 2011-00962
Location: Citywide
Action: Confirmed board/commission appointments 1) Community Racial Profiling Commission-Hugo I. Vera (Category D-6); and 2) Ethel MacLeod Hard Advisory Committee – Ronald E. Byrd (Category C).
Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Office of the City Clerk

2. **Supplemental Agreement: Community Engagement Strategy [To Be Delivered]**
Report # 2011-00904
Location: Citywide
Action: Moved/Seconded: Member Bonnie Pannell/Robert King Fong
Yes: Members Angelique Ashby, Steve Cohn, Darrell Fong, Robert King Fong, Kevin McCarty, Bonnie Pannell, Jay Schenirer, Sandy Sheedy, and Mayor Kevin Johnson

Public comment heard from Mac Worthy and a motion **passed** adopting **Resolution No. 2011-607** authorizing the City Manager or his designee to execute Supplemental Agreement No. 2 with Crocker and Crocker, for continued implementation of Phases 2 and 3 of the Department’s community engagement program, for an amount not-to-exceed \$61,000 bringing the total contract amount to \$160,395.
Contact: Dave Brent, Engineering Manager, (916) 808-1420, Department of Utilities

3. **Rio Linda Blvd Bridge (24C-0129) Replacement and Main Ave Intersection Alignment (T15095200)**
Report # 2011-00906
Location: North Sacramento. District 2
Action: Adopted **Resolution No. 2011-608:** 1) transferring funds in the amount of \$150,000 (Fund 2007); 2) authorizing the City Manager to execute a Professional Services Agreement in the amount of \$598,305 with Mark Thomas and Company, Inc. for the project; and 3) directing Staff to amend the Capital Improvement Program by appropriating \$197,060 (Fund 3703) to the project when the federal paperwork is received.
Contact: Ryan Moore, Supervising Engineer, (916) 808-8279; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

Discussion Calendar (Item 4 - 8)

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

4. **First Quarter Financial Report – Fiscal Year 2011/12**
Report # 2011-00922 **Estimated Time: 15 Minutes** (Actual Time: 2 minutes)
Location: Citywide
Action: Received with public comment heard from Mac Worthy and filed.
Contact: Dawn Holm, Acting Budget Manager, (916) 808-5574, Finance Department.

5. **Landfill Tree Mitigation**
Report # 2011-00961 **Estimated Time: 20 Minutes** (Actual Time: 13 minutes)
Location: District 3

Action: Moved/Seconded: Member Steve Cohn/Robert King Fong

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

Public comment heard from J Bolton Phillips and Corey Brown; a motion **passed** adopting **Resolution No. 2011-609 as amended** to include costs/source of funding and directing staff to form a mitigation committee to develop a plan that accomplishes the following goals: 1) identification of the environmental impacts of the cottonwood tree removal including possible loss of habitat value and development of an implementation plan; 2) identification and evaluation of strategies to manage the closed landfill in ways that are compatible with potential future land uses at Sutter's Landing Park; and 3) providing an effective public communication and outreach strategies.

Contact: Dave Brent, Interim Director, (916) 808-1420; Steve Harriman, Integrated Waste General Manager, (916) 808-4949, Department of Utilities

6. **(Pass for Publication) Medical Marijuana Dispensaries Permit Processing Changes (Title 5 and Title 17) [2/3 Vote Required]**

Report # 2011-00943 **Estimated Time: 20 Minutes** (Actual Time: 93 minutes)

Location: Citywide

Public comment heard from Jacques Whitfield, David Broch, Bryan Davies, Kimberly Cargile, Caleb Counts, Max Del Real, Elvey Musikka, Sioux Colombe, Jeanne Larsson, Suneet Ararwal, Ryan Landers, Joy Cole, Ron Mullins, Darrick Lawson, Lanette Davies, Jeff Patterson, Mike Wook, Mac Worthy, J Bolton Phillips, Greg Foster and Larry Bell.

Action: Moved/Seconded: Member Sandy Sheedy/Steve Cohn

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

No: Member Darrell Fong

A motion **passed** 1) Reviewing an ordinance amending Sections 5.150.040, 5.150.070, 5.150.110, and 5.150.130 of the Sacramento City Code, relating to Medical marijuana dispensaries, 2) passing for publication the ordinance title as required by Sacramento City Charter section 32(c) to be adopted on November 15, 2011.

Action: Moved/Seconded: Member Sandy Sheedy/Steve Cohn

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

A motion **passed** adopting interim **Ordinance No. 2011-048** relating to special permits for Medical marijuana dispensaries and declaring the ordinance to be an emergency measure to take effect immediately.

Contact: Greg Bitter, AICP, Principal Planner, Community Development Department, (916) 808-7816; Brad Wasson, Revenue Manager, (916) 808-5844, Finance Department

7. **Department of Utilities Water and Wastewater Program Workshop**
Report # 2011-00828 **Estimated Time: 30 Minutes** (Actual Time: 58 minutes)
Location: Citywide

Action: Conceptual Approval of the Department of Utilities Water and Wastewater Program with public comment heard from Carolyn Veal-Hunter, Mac Worthy, Doug Brown, Scott Brown, and Erick Smitt.

Contact: Jamille Moens, Business Services Manager, (916) 808-5988, Department of Utilities

8. **Interstate 5 Riverfront Reconnection ("Bridging I-5") Project (T15998100)**
Report # 2011-00887 **Estimated Time: 10 Minutes** (Actual Time: 5 minutes)
Location: Interstate 5 between O Street and Capitol Mall, District 4

Action: Moved/Seconded: Member Steve Cohn/Robert King Fong

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

A motion **passed** adopting 1) **Resolution No. 2011-610:** a) resetting the City Manager's administrative authority for the Bridging I-5 Project (T15998100); and b) directing staff to move forward with final design of the first phase of the project; and 2) **Resolution No. 2011-611** approving the Interstate 5 Riverfront Reconnection Bridging I-5 Project (T15998100) Initial Study/Mitigated Negative Declaration and the Mitigation Reporting Program.

Contact: Ryan Moore, Supervising Engineer, (916) 808-8279; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

Council Comments-Ideas, Questions and Meeting/Conference Reports

1. Report Back

- a. Member Angelique Ashby
 1. Identify possible funding sources for Natomas arena reuse plan
- b. Member Kevin McCarty
 1. Resolution: Local Impacts of Medicare/MediCal policies
- c. Mayor Kevin Johnson
 1. Status on the contract to bond on the commercial PACE program

2. Board/Commission Appointments

None

Adjourned at 10:02 p.m. in memory of Ida Sydnor.