



**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 15, 2011**

**6:00 PM**

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

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**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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# DRAFT Minutes

Tuesday, November 15, 2011

6:00 PM

*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 15, 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 Aloni Onodera, student participant in Youth @ City Council Program.

**Closed Session Report** – None.

## Special Presentations/General Communications

### a. River District Specific Plan Award

**Action:** Presented by Julia Love Johnston

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

1. Occupy Sacramento
  - a. Earva Smith Jr.
  - b. Tim Boyd
  - c. Mac Worthy
  - d. Kim Swan
  - e. Tiffany Clark
  - f. Just Matt
  - g. CJ Kelly
  - h. Sean Thompson
  - i. Rhyannon Loop
  - j. Steve Vincent
  - k. Kevin Carter
  - l. Chris MacDonald
  - m. David Witkin
  - n. Carol York
  - o. Amy Anderson
  - p. Christina Kay
  - q. Russell Rawlings
  - r. Miriam Noujaim
2. Lot Line Adjustment
  - a. Sharon Clark
  - b. Lewis Clark
3. Announcements
  - a. Mike Barnbaum

## Consent Calendar (Items 1 - 14) **Estimated Time: 5 minutes**

**Action:** **Moved/Seconded:** Member Robert King Fong/Bonnie Pannell

**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. Agreement: Electronic Campaign Disclosure and Statement of Economic Interests Form Filing Systems**  
**Report # 2011-00965**  
**Location:** Citywide  
**Action:** Adopted **Resolution No. 2011-612** authorizing the City Clerk to execute an agreement with Westcoast Online Information Systems dba NetFile to provide an electronic campaign disclosure statement and statement of economic interests filing system for a total amount not to exceed \$153,625.  
**Contact:** Stephanie Mizuno, Assistant City Clerk, (916) 808-8093, Office of the City Clerk
- 2. Confirmation of Board/Commission Appointment**  
**Report # 2011-00968**  
**Location:** Citywide  
**Action:** Confirmed board/commission appointment(s): 1) Sacramento Environmental Commission – James Ching (Category A).  
**Contact:** Stephanie Mizuno, Assistant City Clerk, (916) 808-7200, Office of the City Clerk
- 3. Collection Actions for Delinquent Assessment and Special Tax Levies**  
**Report # 2011-00957**  
**Location:** Citywide  
**Action:** **Continued to November 22, 2011** to adopt a Resolution ordering judicial foreclosure of delinquent special assessment installments pursuant to the Improvement Bond Act of 1915 and special taxes pursuant to the Mello-Roos Community Facilities Act of 1982 and making related authorizations.  
**Contact:** Janelle Gray, Public Finance Manager, (916) 808-8296, Office of the City Treasurer
- 4. Approval of Sacramento Tourism and Business Improvement District FY2011/12 Budget (STBID)**  
**Report # 2011-00917**  
**Location:** Citywide  
**Action:** Adopted **Resolution No. 2011-614** approving the 2011-12 budget for the Sacramento Tourism and Business Improvement District.  
**Contact:** Karolyn Pelka, Administrative Officer, (916) 808-5898, Barbara Bonebrake, Director, (916) 808-7733; Convention, Culture & Leisure Department; Steve Hammond, President & CEO, (916) 808-7782, Sacramento Convention & Visitors Bureau
- 5. FY2011/12 County Contribution to City/County Organizations**  
**Report # 2011-00939**  
**Location:** Citywide  
**Action:** Adopted **Resolution No. 2011-615** 1) authorizing the City Manager or his designee to execute agreements regarding contributions from Sacramento County for the FY2011/12 operations of the Center for Sacramento History, the Sacramento Metropolitan Arts Commission, the Sacramento History Museum, the Discovery Museum Science and Space Center, and the Sacramento Sports Commission; and 2) authorizing the City Manager or his designee(s) to reduce the FY2011/12 operating budgets for the Sacramento Metropolitan Arts Commission and the Sacramento Sports Commission by a total of \$52,155.

**Contact:** Karolyn Pelka, Administrative Officer, (916) 808-5898, Convention, Culture and Leisure Department

**6. Agreement: Cost Sharing FY2011/2012 Water Forum Successor Effort  
Report # 2011-00822**

**Location:** Citywide

**Action: Moved/Seconded:** Member Sandy Sheedy/Jay Schenirer

**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. 2011-616** authorizing the City Manager or his designee to execute an Interagency Agreement for cost sharing the funding for the FY2011/2012 Budget of the Water Forum Successor Effort (WFSE) in the amount of \$900,857. Under the agreement the City's Cost Share amount is \$263,047.

**Contact:** Sarah Foley, Program Manager, (916) 808-1997, Department of Utilities

**7. Cooperative Purchase Agreements: Rental Car Services and E85 Fuel for Fleet Vehicles and Equipment**

**Report # 2011-00915**

**Location:** Citywide

**Action:** Adopted **Resolution No. 2011-617:** 1) approving the use of the State of California cooperative purchase agreement with Enterprise Rent-A-Car (Contract No. 5-11-99-01) for the purchase of rental car services in an amount not to exceed \$1 million through December 31, 2016 or until the contract is no longer available for use; 2) approving the use of the State of California cooperative purchase agreement with Hunt & Sons, Inc. (Contract No. 1-10-91-02-A) for the purchase of E85 fuel in amount not to exceed \$500,000 through December 23, 2013 or until the contract is no longer available for use; and 3) 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

**8. Contract: Fuel Site Repairs and Services**

**Report # 2011-00941**

**Location:** Citywide

**Action:** Adopted **Resolution No. 2011-618:** 1) awarding a five-year agreement to Kaiser Commercial Petroleum for the maintenance, repairs and testing of City fuel sites in an amount not to exceed \$850,000 for the five year period; and 2) authorizing the City Manager or the City Manager's designee to execute the agreement provided that sufficient funds are available in the budget adopted for the applicable fiscal year(s).

**Contact:** Marc Robles, Program Analyst, (916) 808-6343; Craig Lymus, Acting Procurement Services Manager, (916) 808-5524, General Services Department

9. **Contract: City Hall Garage Fire Alarm System Replacement Project**  
**Report # 2011-00804**  
**Location:** 1000 I Street, District 1  
**Action:** Adopted **Resolution No. 2011-619:** 1) approving the construction plans and specifications and awarding the construction contract to Alessandro Electric Inc., the lowest responsive and responsible bidder, in an amount not to exceed \$122,467 for the project; and 2) authorizing the City Manager or the City Manager's designee to execute the contract.  
**Contact:** Brian Reilly, Senior Engineer, (916) 808-8427; Yadi Kavakebi, Facilities Superintendent, (916) 808-8432, General Services Department
10. **Cooperative Purchase Agreement: Aerial Equipped Trucks**  
**Report # 2011-00916**  
**Location: Citywide**  
**Action:** Adopted **Resolution No. 2011-620:** 1) increasing the purchase authority using the National Joint Powers Alliance (NJPA) cooperative purchase agreement with Altec Industries, Inc. (Contract No. 081209) by \$60,000, for a revised not-to-exceed amount of \$379,000, for the purchase of three aerial equipped trucks; and 2) authorizing the City Manager or the City Manager's designee to execute the purchase.  
**Contact:** Keith Leech, Fleet Manager, (916) 808-5869, General Services Department
11. **(Pass for Publication) Ordinance Amendment: Special Access Permits for Private Patrol Operators in City Parks and Establishing Permit Fees**  
**Report # 2011-00947**  
**Location:** Citywide  
**Action: Moved/Seconded:** Member Angelique Ashby/Sandy Sheedy  
**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 1) Reviewed an Ordinance amending Sections 12.72.060 and 12.72.090 of, and adding Article VII to, Chapter 12.72 of the Sacramento City Code relating to special access permits for private patrol operators in City parks; 2) reviewed Resolution No. 2011- a) amending the City of Sacramento Fees and Charges Report, Parks and Recreation Department, as set forth in Exhibit A, to establish the fees authorized by Sections 12.72.330 and 12.72.340 of the Sacramento City Code and b) authorizing the City Manager or designee to adjust the operating revenue and expenditure budgets as necessary; and 3) passed for publication the Ordinance title as required by Sacramento City Charter Section 32(c) to be adopted November 22, 2011.  
**Contact:** Jim Combs, Director of Parks and Recreation, (916) 808-8526, Murray Levison, Administrative Officer, (916) 808-6195, Parks and Recreation Department

**12. Agreements: Sacramento City Unified School District After-School (ASES) Report # 2011-00960**

**Location:** Sam Brannan Middle School, 5301 Elmer Way (District 4) and John Still Middle School, 2250 John Still Drive (District 8);

**Action:** Adopted **Resolution No. 2011-621:** 1) authorizing the City Manager or designee to execute the Agreement for Services with the Sacramento City Unified School District (SCUSD) and any related documents as necessary for the City to operate an After School Education and Safety (ASES) program at John Still and Sam Brannan Middle Schools during the 2011-2012 school year commencing on August 15, 2011, for an amount not to exceed \$200,000 in Fiscal Year (FY) 2011/12; 2) authorizing the City Manager or designee to enter into any amendments or new agreements with SCUSD for operation of the PASSage program at John Still and Sam Brannan middle schools through June 30, 2015, subject to approval as to form by the City Attorney, which may extend the term, change the cost paid per student, change the number of students to be served at any particular school or change other operational requirements, as long as any amendment or new agreement does not increase the maximum annual payment to the City by more than 20% above the FY 2011/12 amount and the additional services can be provided by the Teen Services section and fully funded with SCUSD payments so that no additional General Fund appropriation is required to perform the services under the amended or new agreement; 3) authorizing the City Manager or designee to enter into any new agreements with SCUSD for operation of the PASSage program at additional schools through June 30, 2015, subject to approval as to form by the City Attorney, if the new agreements contain substantially the same contract terms and conditions as the agreement described in Section 1 and the PASSage program, the additional services can be provided by the Teen Services section, and the services are fully funded with SCUSD payments so that no additional General Fund appropriation is required to perform the services under the new agreement; and 4) authorizing the City Manager or designee to adjust the operating revenue and expenditure budgets as necessary to implement the PASSage program agreements with SCUSD.

**Contact:** Bonnie Williamson, Administrative Officer, (916) 808-2348, David Mitchell, Operations Manager, (916) 808-6076, Sylvia Fort Recreation Manager, (916) 808-8381, Department of Parks and Recreation

**13. Building Equity and Growth in Neighborhoods (BEGIN) Program Application Report # 2011-00956**

**Location:** 2500 R Street, District 4

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

**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 **City Resolution No. 2011-622** authorizing the Sacramento Housing and Redevelopment Agency (Agency) to: 1) submit an application to the California Department of Housing and Community Development (HCD) for funding under the BEGIN Program ; 2) receive funding from HCD and administer the BEGIN Program; 3) execute Standard Agreements and all related documents necessary to participate in the BEGIN Program; 4) adopt local BEGIN Mortgage Assistance Underwriting Guidelines for administration of the program; and 5) amend the Agency Budget as funds are awarded.

**Contact:** Christine Weichert, Assistant Director, Development Finance, (916) 440-1353 Susan Perry, Portfolio Management/Homeownership Services Supervisor, (916) 440-1386, Sacramento Housing and Redevelopment Agency

**14. Acceptance of Three City Streets into the City Street System: Extension of Sequoia Pacific Boulevard, Haggin Oaks Drive and a Portion of Fulton Avenue Report # 2011-00864**

**Location:** Sequoia Pacific Boulevard, District 3; Fulton Avenue and Haggin Oaks Drive, District 2

**Action:** Adopted **Resolution No. 2011-623** accepting 1) the extension of Sequoia Pacific Boulevard; 2) portion of Fulton Avenue; and 3) Haggin Oaks Drive into the City's street system.

**Contact:** Thomas Adams, Engineering Technician, (916) 808-7929; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation; Rachel Hazlewood, Senior Development Project Manager, (916) 808-5645, Economic Development Department

**Public Hearings (Item 15)**

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

**15. The River Church (P11-037) (Appeal) (Noticed on 11-3-11)**

**Report # 2011-00924 Estimated Time: 15 Minutes**

**Location:** 4080 Truxel Road, District 1

**Action: Project withdrawn by applicant; no need** to conduct a public hearing and upon conclusion, adopt 1) a Resolution determining the project is exempt under CEQA Section 15303-New Construction or Conversion, and 2) a Resolution approving a Special Permit for church use in the Employment Center 65 Planned Unit Development (EC-65-PUD) zone (Natomas Crossing Planned Unit Development).

**Contact:** David Hung, Associate Planner, (916) 808-5530; Lindsey Alagozian, Senior Planner, (916) 808-2659, Community Development Department

**Discussion Calendar (Item 16)**

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

**16. Ordinance Amendment: Medical Marijuana Dispensaries Permit Processing Changes (Title 5) (Passed for Publication on 11-8-11; Published on 11-11-11)**

**Report # 2011-00945 Estimated Time: 20 Minutes**

**Location:** Citywide

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

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

**No:** Member Darrell Fong

Public comment heard from Mac Worthy, Lanette Davies, Ryan Landers, Courtney Sheals, Bryan Davies; a motion **passed** adopting **Ordinance No. 2011-048** 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.

**Contact:** Brad Wasson, Revenue Manager, (916) 808-5844; Finance Department, Supervising, Gustavo Martinez, Deputy City Attorney (916) 808-5346, Office of the City Attorney

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

**1. Report Back**

None

**2. Board/Commission Appointments**

a. Animal Care Services Citizens Advisory Committee

1. Jennifer Pokorny
2. Moira Monahan

**Adjourned** at 8:47 p.m.